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**DOCUMENTS**  
**ACCOMPANYING THE JOURNAL**  
**OF THE**  
**HOUSE OF REPRESENTATIVES,**  
**OF THE**  
**STATE OF MICHIGAN,**  
**AT THE**  
**ANNUAL SESSION OF 1847.**

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**DETROIT:**  
**BAGG & HARMON, PRINTERS TO THE STATE.**  
**1847.**



# JOURNAL.

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*Monday, January 4, 1847.*

This being the day designated by the constitution of the state for the meeting of the legislature, and the members having assembled in the Hall of the House of Representatives, in the capitol, they were called to order by Hon. Justus Goodwin, of Calhoun, on whose motion, Hon. James L. Glenn of Cass, was unanimously chosen Speaker *pro tempore*.

On motion of Hon. G. W. Peck, of Livingston, Augustine W. Hovey, was unanimously chosen clerk *pro tempore*.

On motion of Hon. J. H. Kilborne, of Ingham, P. McGinnis was unanimously chosen Sergeant-at-arms *pro tempore*.

On motion of Hon. C. M. O'Malley, of Mackinac county, it was ordered that a committee of two be appointed, to wait on Chief Justice Ransom, and invite him to administer the oath of office to the members elect.

The Speaker appointed as such committee Mr. O'Malley of Mackinac, and Mr. Pierce of Washtenaw, which committee, after a short absence, reported that the Chief Justice was in attendance.

The following members then appeared, were sworn in, and took their seats:

From the counties of

*Allegan*—Lintsford B. Coates.

- Barry*—Henry A. Goodyear.  
*Berrien*—Calvin Britain, Richard P. Barker.  
*Branch*—Alvarado Brown, Jonathan H. Culver.  
*Calhoun*—John D. Pierce, Justus Goodwin, Henry W. Taylor.  
*Cass*—James L. Glenn, James Shaw.  
*Chippewa*—Elisha G. Seymour.  
*Clinton*—William W. Upton.  
*Eaton*—Benjamin Knight.  
*Genesee*—Enos Goodrich, Alfred Pond.  
*Hillsdale*—Zachariah Van Duser, Daniel Kinne.  
*Ingham*—Joseph H. Kilborne.  
*Ionia*—Alexander F. Bell.  
*Jackson*—David Johnson, Loss E. Jones, Henry S. Hollister.  
*Kalamazoo*—Evert B. Dyckman.  
*Kent and Ottawa*—Silas G. Harris.  
*Lapeer*—Charles A. Hebard.  
*Lenawee*—Sylvester Walker, John W. Turner, Daniel H. Deming, John J. Adam.  
*Livingston*—George W. Peck, Ira Jennings.  
*Mackinac*—Charles M. O'Malley.  
*Macomb*—Jacob Shook, Alfred Goodell, Layman B. Price.  
*Monroe*—David A. Noble, Lewis Darrah, Alexander M. Arzeno.  
*Oakland*—Peter D. Makley, Thomas N. Lomis, Jesse Seeley, Thomas McGraw, Elijah B. Clarke.  
*Saginaw*—Albert Miller.  
*Shiawassee*—Sullivan R. Kelsey.  
*St. Clair*—Daniel B. Herrington, Nathaniel W. Brooks.  
*St. Joseph*—Alfred L. Driggs, Patrick Marantette.  
*Van Buren*—Philotus Haydon.  
*Washtenaw*—Aaron B. Truesdell, Darius Pierce, Harvey Chubb.  
*Wayne*—George B. Throop, James McFarlan, George W. Ferrington, Henry Fralick, Ebenezer C. Eaton, George W. Moore.  
On motion of Mr. Adam,  
A committee of two was ordered to be appointed to wait on the Senate, and inform that body that the House was now organized, and ready to proceed to business.

The Speaker appointed as such committee, Messrs. Adam and Peck.

On motion of Mr. Goodwin,

A committee of two was ordered to be appointed on the part of the House, to act with a like committee on the part of the Senate, to wait on the Governor, and inform him that the two Houses were now organized, and ready to receive any communication which he might be pleased to make.

The Speaker *pro tempore*, appointed as such committee Messrs. Goodwin and Throop.

Mr. H. W. Taylor offered the following resolution, which was not adopted :

*Resolved*, That immediately after the organization of the House of Representatives, the clerk of the House shall prepare a set of numbers from 1 to 65 inclusive, and deposit them in a box or hat prepared by him for that purpose, and each member shall draw a number from the said hat or box ; after the drawing shall have been completed, the member who shall have drawn No. 1, shall have the first choice of seats ; No. 2, the second ; and so on, until the members shall have made their choice respectively, and the seats thus chosen shall belong to the members drawing them respectively ; but nothing herein contained shall prevent the members from exchanging seats with each other.

On motion of Mr. Peck,

The rules of the last House of Representatives were adopted for the government of this House, until otherwise ordered.

Mr. Adam offered the following resolution, which was adopted :

*Resolved*, That Rev. John D. Pierce, a member of this House, be requested to open the daily deliberations of the House by prayer, until other arrangements are made.

Mr. Peck presented certain papers relative to the claim of Samuel W. Hill to a seat in this House as representative from the district composed of the counties of Chippewa, Schoolcraft, Ontonagon, Houghton, and Marquette, which papers were read, and,

On motion of Mr. H. W. Taylor,

Laid on the table.

Mr. Adam, from the committee appointed to wait on the Senate, re-

ported that they had performed the duty assigned to them, and the committee was discharged.

A committee from the Senate was announced, consisting of Senators Green and Denton, who announced that the Senate was now organized and ready to proceed to business.

Mr. Noble offered the following resolution, which was,

On motion of Mr. D. Pierce,

Laid on the table:

*Resolved*, That the committee on supplies and expenditures be and they are hereby instructed to furnish stationery to the several officers and members of this House, not exceeding the amount of        dollars to each person, and that said committee keep an accurate account of the supplies so furnished to each member and officer, and report the same to this House at the close of the session.

The following message was received from the Senate:

SENATE CHAMBER,  
Detroit, January 4, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to respectfully inform the House that Senators McReynolds and Thurber have been appointed a committee on the part of the Senate to join a like committee on the part of the House, to wait upon the Governor and inform him that the two Houses are now organized and ready to receive any communication he may have to make.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

On motion of Mr. Adam,

*Resolved*, That the hour to which the House shall stand adjourned each day be ten o'clock A. M., until otherwise ordered.

Mr. Goodwin, from the committee appointed to wait on the Governor, reported that they had discharged the duty assigned them and received for answer, that the Executive would immediately communicate with the two Houses in writing.

The committee were thereupon discharged.

The annual message was then received from the Governor, through the hands of his Private Secretary, which was read by the clerk



Mr. D. Pierce offered the following resolution :

*Resolved*, That the Governor's Annual Message be laid on the table, and twenty-five hundred copies be printed in the English, five hundred in the French, and five hundred in the German languages, for the use of the members of this House.

On motion of Mr. Adam,

The resolution was amended by striking out "twenty-five hundred" and inserting "one thousand;" and the resolution as amended was then adopted.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, January 4, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit a joint resolution in regard to joint rules and a joint resolution in relation to an arrangement with the Postmaster at Detroit, which the Senate have adopted and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The "joint resolution in regard to joint rules" was read twice, and

On motion of Mr. Peck,

The rule was suspended, and the joint resolution read the third time and adopted.

The "joint resolution in relation to postage" was read twice, and

On motion of Mr. J. D. Pierce,

The rule was suspended, and the joint resolution was read the third time and adopted.

The Speaker appointed as a committee, on the part of the House, under the last joint resolution, Messrs. Throop and Driggs.

On motion of Mr. J. D. Pierce,

The House adjourned.

*Tuesday, January 5, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. J. D. Pierce.

On calling the roll, the members were all present.

The journal of yesterday was read and approved.

Mr. Adam announced that Thomas J. Faxon, one of the Representatives elect from the county of Lenawee, was in attendance, and ready to take the constitutional oath.

Mr. H. W. Taylor made the same announcement relative to Horace Mower, Representative elect from the county of Kalamazoo.

Mr. Seeley made a similar announcement relative to Oliver P. Davison, Representative elect from the county of Oakland.

Messrs. Faxon, Mower and Davison then appeared, subscribed the constitutional oath and took their seats.

Mr. Throop, from the joint committee appointed to make arrangements with the Post Master at Detroit, relative to the postage of members of the legislature, reported that the committee had discharged the duty assigned them, and that the Post Master would keep an account of the postage on letters and papers sent to members, and deliver such letters and papers to the messengers of the two houses.

Mr. Throop gave notice that on some future day he should ask leave to introduce a bill in relation to the election of Senators in Congress; a bill in relation to the location of the Capitol; and a bill or joint resolution relative to the new revised statutes.

On motion of Mr. Adam,

The House went into an election for Speaker, and on calling the roll, the members severally rose in their places, and voted as follows:

FOR GEORGE W. PECK.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,

Mr. Goodwin,  
Goodyear,  
Harris,  
Hebard,  
Herrington,  
Hollister,  
Johnson,  
Jones,  
Kilborne,  
Kinne,

Mr. Miller,  
G. W. Moore,  
Noble,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Shaw,  
Shook,

Driggs,  
Dyckman,  
Eaton,  
Ferrington,  
Fralick,  
Goodell,  
Goodrich,

Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,

Throop,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker.

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## FOR JAMES M. EDMUNDS.

Mr. Barker,  
Brooks,  
Chubb,  
Clark,  
Faxon,

Mr. Haydon,  
Jennings,  
Kelsey,  
H. Mower,

Mr. D. Pierce,  
Seymour,  
H. W. Taylor,  
Truesdell,

13

## FOR JOHN J. ADAM.

Mr. Peck,

1

George W. Peck having received a majority of all the votes, was declared to be duly elected Speaker of the House of Representatives.

On motion of Mr. Adam,

A committee of two was ordered to be appointed to wait on Mr. Peck and conduct him to the chair.

Messrs. Adam and J. D. Pierce were appointed such committee, and upon conducting the Speaker elect to the chair, he addressed the House as follows :

*Gentlemen of the House of Representatives :*

Before I assume the duties of the chair, permit me the use of its ancient privilege, in the expression of my most profound acknowledgments for the honor you have just conferred upon me. The satisfaction this mark of your confidence inspires, is mingled with regret—and my sense of obligation deepened—by the consciousness that I can bring to the discharge of the duties imposed upon me, no great legislative experience or natural aptitude. I must therefore solicit from the members of this House their kind forbearance—and shall endeavor to deserve their cordial co-operation and support, in the discharge of my duties, by the practice of unwearied industry and impartiality. Once more expressing my warmest gratitude for the honor shown me, I now assume the responsibility of the chair.

On motion of Mr. Goodwin,

The House proceeded to the election of Clerk, with the following result :

## FOR AUGUSTINE W. HOVEY.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Ferrington,  
Fralick,  
Glenn,  
Goodell,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Hebard,  
Herrington,  
Hollister,  
Johnson,  
Jones,  
Kilborne,  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,

Mr. Miller,  
G. W. Moore,  
Noble,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Shaw,  
Shook,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker,

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## FOR WM. A. COOK.

Mr. Barker,  
Brooks,  
Chubb,  
Clark,  
Faxon,

Mr. Hayden,  
Jennings,  
Kelsey,  
H. Mower,

Mr. D. Pierce,  
Seymour,  
H. W. Taylor,  
Truesdell,

13

Augustine W. Hovey having received a majority of all the votes cast, he was declared duly elected Clerk of the House, and thereupon subscribed the constitutional oath.

On motion of Mr. Throop,

The House went into an election for an Engrossing, Enrolling and Recording Clerk, which resulted as follows :

## FOR DAVID A. A. ENSWORTH.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Ferrington,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Hebard,  
Herrington,  
Hollister,  
Johnson,  
Jones,  
Kilborne,  
Kinne,  
Knight,  
Lomis,  
Makley,

Mr. Miller,  
G. W. Moore,  
Noble,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Shaw,  
Shook,  
Throop,  
Turner,  
Upton,  
Van Duser,

Fralick,  
Glenn,  
Goodell,

Marantette,  
McFarlan,  
McGraw,

Walker,  
Speaker,

50

## FOR GEORGE S. WRIGHT.

Mr. Barker,  
Brooks,  
Chubb,  
Clark,

Mr. Hayden,  
Jennings,  
Kelsey,  
H. Mower,

Mr. D. Pierce,  
Seymour,  
H. W. Taylor,  
Truesdell,

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And David A. A. Ensworth was declared duly elected.

On motion of Mr. J. D. Pierce,

The House proceeded to elect a Sergeant-at-Arms, as follows :

## FOR ALEXANDER S. TRUMBULL.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Coates,  
Culver,  
Darrab,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Ferrington,  
Fralick,  
Glenn,  
Goodell,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Hebard,  
Herrington,  
Hollister,  
Johnson,  
Jones,  
Kilborne,  
Kinne,  
Knight,  
Lomis,  
Makeley,  
Marantette,  
McFarlan,  
McGraw,

Mr. Miller,  
G. W. Moore,  
Noble,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Shaw,  
Shook,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker,

50

## FOR JOHN F. KEYES.

Mr. Barker,  
Brooks,  
Chubb,  
Clark,  
Faxon,

Mr. Haydon,  
Jennings,  
Kelsey,  
H. Mower,

Mr. D. Pierce,  
Seymour,  
H. W. Taylor,  
Truesdell,

13

And Alexander S. Trumbull was declared duly elected.

Mr. Adam offered the following resolution :

*Resolved*, That the Speaker be authorized and requested to appoint a fireman, at a compensation not exceeding one dollar and fifty cents per day, and two messengers at a compensation of one dollar per day.

Mr. Goodell moved to amend the resolution by striking out the word "two," before "messenger," and inserting "three," which motion was lost.

And the question recurring on the adoption of the original resolution, it prevailed.

Mr. Adam offered the following resolution :

*Resolved*, That the clerk be requested to furnish each member of the House with such newspapers, published within this State, as they may severally direct, not exceeding in price the average expense of two daily papers.

Mr. Throop moved to strike out the words "published within this State," which motion was decided in the negative by the following vote :

YEAS.		
Mr. Coates,	Mr. Hebard,	Mr. O'Malley,
Darrah,	Johnson,	J. D. Pierce,
Davison,	Kinne,	Pond,
Eaton,	Knight,	Seeley,
Fralick,	McFarlan,	Throop,
Glenn,	McGraw,	Truesdell,
Goodrich,	G. W. Moore,	Turner,
Harris,	Noble,	Upton,
	NAYS.	24
Mr. Adam,	Mr. Faxon,	Mr. Makley,
Arzeno,	Ferrington,	Marantette,
Barker,	Goodell,	Miller,
Bell,	Goodwin,	H. Mower,
Brittain,	Goodyear,	D. Pierce,
Brooks,	Haydon,	Price,
Brown,	Herrington,	Seymour,
Chubb,	Hollister,	Shaw,
Clark,	Jennings,	Shook,
Culver,	Jones,	H. W. Taylor,
Deming,	Kelsey,	Van Duser,
Driggs,	Kilborne,	Walker,
Dyckman,	Lomis,	Speaker,
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The resolution was then adopted.

Mr. H. W. Taylor gave notice that he would on some future day ask leave to introduce a resolution proposing an amendment to the constitution of the State.

On motion of Mr. Adam,

*Resolved*, That the Secretary of State be requested to furnish each member of this House with a copy of the revised statutes, session laws, and journals and documents of 1846.

On motion of Mr. Throop,

The following resolution was taken from the table:

*Resolved*, That the committee on supplies and expenditures be and they are hereby instructed to furnish stationery to the several officers and members of this House, not exceeding the amount of      dollars to each person, and that said committee keep an accurate account of the supplies so furnished to each member and officer, and report the same to this House at the close of the session.

Mr. Johnson moved to amend the resolution, by striking out the words "not exceeding the amount of      dollars to each person," which motion was lost.

Mr. H. W. Taylor moved to strike out all after the word "*Resolved*," and insert "That each member of this House supply himself with such stationery as he may need during the present session of the Legislature, and keep an account thereof, and at the close of the session report the same to the committee of ways and means, who shall audit the same, and report to the House specifying the amount of the account of each member respectively, for such order as the House shall then see fit to take thereon."

A division of the question being called for, it was first taken on striking out, and lost, by yeas and nays, as follows:

## YEAS.

Mr. Adam,  
Brooks,  
Clark,  
Coates,  
Darrah,

Mr. Goodwin,  
Harris,  
Herrington,  
Kelsey,  
Kilborne,

Mr. H. Mower,  
J. D. Pierce,  
H. W. Taylor,  
Walker,

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## NAYS.

Mr. Arzeno,  
Barker,  
Bell,  
Britain,  
Brown,  
Chubb,  
Culver,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,  
Glenn,

Mr. Goodrich,  
Goodyear,  
Haydon,  
Hebard,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,  
Miller,

Mr. G. W. Moore,  
Noble,  
O'Malley,  
D. Pierce,  
Pond,  
Price,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
Throop,  
Truesdell,  
Turner,  
Upton,  
Van Duser,  
Speaker,

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On motion of Mr. Chubb,

The blank in the resolution was filled with the word "three," and it was then adopted as amended.

On motion of Mr. O'Malley,

The House adjourned.

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*Wednesday, January 6, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. J. D. Pierce.

On calling the roll, Messrs. Chubb, Goodyear, Hollister, Knight, Marantette, H. Mower, Seymour, Truesdell and Upton were absent without leave.

The journal of yesterday was read and approved.

Mr. D. Pierce announced that James M. Edmunds, representative elect from the county of Washtenaw, was in attendance and ready to take his seat, and Mr. Edmunds thereupon appeared, subscribed the constitutional oath, and took his seat.

The Speaker, under the resolution of yesterday, appointed Justus Ingersoll and Samuel D. Lount as messengers, and James Gleason as fireman.

On motion of Mr. Britain,

The rule was suspended to enable him to introduce the following resolution, which was adopted :

*Resolved*, That a standing committee, to consist of five members, be added to the present number, to be styled the "committee on harbors."

The Speaker announced the following as the standing committees of the House :

*Ways and Means*—Messrs. Adam, Goodwin, Britain, Edmunds and Glen.

*Judiciary*—Messrs. Noble, Johnson, Throop, Bell and H. W. Taylor.

*Internal Improvements*—Messrs. Harrington, Price, Walker, Marantette and Jennings.

*Claims*—Messrs. Fralick, Goodrich, Arzeno, D. Pierce and Miller.



*Elections*—Messrs. Goodwin, Britain, Johnson, Renwick and Brooks.

*Federal Relations*—Messrs. J. D. Pierce, Deming, Hollister, Faxon and Knight.

*Banks and Incorporations*—Messrs. Johnson, Goodwin, Bell, Barker and Upton.

*Public Lands*—Messrs. Glen, C. H. Taylor, Chubb, Darrah and Ferrington.

*Printing*—Messrs. Walker, Harrington, Vanduzer, H. Mower and Davison.

*Education*—Messrs. O'Malley, Clark, Coates, Goodyear and Jones.

*Engrossment and Enrollment*—Messrs. Price, Makley, Driggs, Turner and G. W. Moore.

*Harbors*—Messrs. Britain, Johnson, Throop, C. W. Taylor, and H. Mower.

*Agriculture and Manufactures*—Messrs. Shaw, Truesdell and McFarlin.

*Militia*—Messrs. Glen, Brooks and Goodell.

*Supplies and Expenditures*—Messrs. Eaton, Dyckman and Walker.

*Organization of Townships and Counties*—Messrs. Harris, Kelsey and Davison.

*State Prison*—Messrs. Johnson, Pond and Brown.

*Roads and Bridges*—Messrs. Hebard, Seeley and Kinne.

*State Library*—Messrs. H. W. Taylor, Culver and Kilborn.

*Indian Affairs*—Messrs. McFarlan, Haydon and McGraw.

#### PETITIONS PRESENTED.

By Mr. Adam. Of Wilson H. Stout, in regard to the purchase of certain school lands. Referred to the committee on public lands.

By Mr. Glen. Of D. P. Ward and others, for the passage of a law authorizing the highway commissioners of the township of Porter, Cass county, to alter a certain road in said township. Referred to the committee on roads and bridges.

By Mr. Coates. Of Daniel Leggett and other residents of the township of Watson, Allegan county, for the division of said township. Referred to the committee on the organization of townships and counties.

Also, of Chauncey B. Goodrich, and other residents of the town-

ship of Newark, Allegan county, for a division of said township. Same reference.

By Mr. Arzeno, the claim of John M. Morrow. Referred to the committee on claims.

Mr. Goodwin offered certain resolutions, referring different portions of the Governor's annual message to the appropriate committees and

On motion of Mr. Adam,

The resolutions and the Governor's annual message were referred to the committee of the whole, and placed on the general order.

Mr. Chubb offered the following resolution :

*Resolved*, That the committee on ways and means be instructed to bring in a bill, as soon as practicable, to provide for the pay of members and officers of the legislature, fixing the per diem allowance at two dollars each, and allowing no extra compensation to the Speaker of the House or President of the Senate.

On motion of Mr. Adam,

The resolution was amended by striking out the words "to bring," and insert "to enquire into the expediency of bringing;" and the resolution as amended was then rejected.

Mr. H. W. Taylor, pursuant to previous notice, asked and obtained leave to introduce "joint resolutions proposing amendments to the constitution of the State of Michigan," which were read twice, and on his motion, laid on the table.

Mr. Price gave notice that on some future day he should ask leave to introduce a bill making appropriations on the Clinton and Kalamazoo Canal.

On motion of Mr. J. D. Pierce,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of providing by law, that whenever a stay of execution is entered on the rendition of any judgment in any court of this state, the judgment shall not be liable to be sued during the period for which such stay was entered; and also providing that, whenever any judgment is removed by writ of error, or otherwise, to the supreme court, no action shall be brought or maintained upon such judgment until the final determination of said supreme court shall have been had upon the case so removed as aforesaid.

Mr. Throop, pursuant to previous notice, asked and obtained leave to introduce a "joint resolution relative to the revised statutes," and a "bill to locate the capitol pursuant to section nine of article twelve of the constitution of this state," which joint resolution and bill were read twice, referred to the committee of the whole and placed on the general order.

Mr. Seymour gave notice that on some future day he should ask leave to introduce a bill to provide for the construction of a ship canal around the Falls of the river St. Marie, in the county of Chippewa, and a bill to incorporate the village of Sault Ste. Marie, in the county of Chippewa.

Mr. Britain gave notice that on some future day he should ask leave to introduce a bill to authorize the laying out of a state road from Schoolcraft, in Kalamazoo county, to St. Joseph, in Berrien county, and a state road from St. Joseph to New Buffalo, in Berrien county.

On motion of Mr. Adam,

*Resolved*, That the committee on printing be directed to procure one or more competent persons to translate the Governor's annual message into the French and German languages.

On motion of Mr. Goodwin, the papers relative to the claim of Samuel W. Hill to a seat in the House as a Representative from the county of Chippewa, were taken from the table, and referred to the committee on elections.

On motion of Mr. Adam,

The rule was suspended to enable him to ask leave, previous notice not having been given, to introduce a "joint resolution, in relation to the printing of bills," which was read twice, the rule suspended, and the joint resolution was then read the third time and passed.

The following communications were received:

AUDITOR GENERAL'S OFFICE, }  
Detroit, Jan'y 4, 1847. }

*Hon. GEORGE W. PECK, Speaker House of Representatives:*

SIR—I have the honor herewith to transmit the annual report from this office for the fiscal year ending Nov. 30, 1846.

I am sir, very respectfully,

Your ob't serv't,

D. V. BELL,  
*Auditor General.*

STATE TREASURER'S OFFICE, }  
 Detroit, Jan'y 6, 1847. }

*Hon. GEO. W. PECK, Speaker of the House of Representatives:*

I submit herewith a copy of the annual report of this office for the fiscal year 1846.

Yours, very respectfully,

GEO. B. COOPER,  
*State Treasurer.*

OFFICE OF INTERNAL IMPROVEMENT, }  
 Detroit, Jan'y 6, 1847. }

*Hon. GEO. W. PECK, Speaker of the House of Representatives:*

I herewith respectfully submit the annual report of the Board of Internal Improvement, for the fiscal year ending Nov. 30th, 1846.

Respectfully yours,

JOHN F. PORTER,  
*Acting Com. Int. Imp't.*

On motion of Mr. Adam,

The reports of the Auditor General and State Treasurer, were referred to the committee on ways and means, and the report of the Board of Internal Improvement was referred to the committee on Internal Improvement.

The House then resolved itself into committee of the whole on the annual message of the Executive, and the resolutions of reference relating thereto, Mr. Britain in the chair, and after some time spent thereon the committee rose, and by their chairman reported the subjects referred back to the House, with sundry amendments to the resolutions, in which the concurrence of the House was asked.

And the amendments were severally concurred in.

The resolutions were then adopted in the following form:

*Resolved,* That so much of the Governor's message as relates to the finances of the state, and its policy in financial matters, be referred to the committee of ways and means.

That so much of the Governor's message as relates to bringing within the "care and supervision of the government, subjects foreign to its real design," be referred to the committee of ways and means.

That so much of the Governor's message as relates to internal improvements, be referred to the committee of internal improvement.

That so much of the Governor's message as relates to common

- schools and the university, and their several funds, be referred to the committee on education.

That so much of the Governor's message as relates to the state prison, be referred to the committee on that subject.

That so much of the Governor's message as relates to the selection and confirmation and leasing of state lands, be referred to the committee on federal relations.

That so much of the Governor's message as relates to the policy of selling the mineral state lands, be referred to the committee on public lands.

That so much of the Governor's message as relates to the judicial organization of the mineral district, and all matters relating to the judiciary, be referred to the committee on judiciary.

That so much of the Governor's message as relates to the improvement of the Ste Marie, through the agency of an incorporation, be referred to the committee on banks and incorporations.

That all matters in the Governor's message relating to the militia, and military matters generally, be referred to the committee on militia.

That so much of the Governor's message as relates to the improvement of lake navigation, be referred to the committee on harbors.

That so much as relates to the authority necessary to be obtained from Congress in order to sell the salt spring lands, be referred to the committee on federal relations.

That so much as relates to the subject of lake harbors, be referred to the committee on harbors.

That so much as relates to banks and currency, be referred to the committee on banks and incorporations:

That so much thereof as relates to the geological survey of the state, and the publication of a final report thereon, be referred to a select committee of three.

That so much thereof as relates to the election of a Senator in Congress, and the election of certain officers now appointed by the Executive, be referred to the committee on elections: and so much as relates to the location of the seat of government, be referred to a select committee to consist of seven members.

That so much thereof as relates to the further organization of

townships and counties in the upper peninsula, be referred to the committee on the organization of townships and counties.

That so much thereof as relates to school, university, and other state lands, be referred to the committee on public lands.

On motion of Mr. Eaton,

The House adjourned.

*Thursday, January 7, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. J. D. Pierce.

On calling the roll Messrs. Goodwin, Harris, Marantette and Noble were absent without leave.

The Journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Coates. Of citizens of the township of Manlius, Allegan county, for a law legalizing certain acts of the supervisor of said township. Referred to the committee on the judiciary.

Also, of Oka Town, of Otsego, Allegan county, for a law legalizing the sale of a certain piece of land. Same reference.

By Mr. Goodyear. Of citizens of the township of Irving, Barry county, for a division of said township. Referred to the committee on the organization of townships and counties.

By Mr. Bell. Six petitions of inhabitants of the Grand River Valley, for an appropriation of lands to construct a canal around the rapids of Grand River. Referred to the committee on public lands.

By Mr. Upton. Of Henry Post and ninety others, for the appropriation of certain non-resident highway taxes on the state road leading from Byron to Lyons. Referred to the committee on roads and bridges.

The following communication was announced :

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION, {  
Monroe, January 7, 1847. }

To the Hon. G. W. PECK, Speaker of the House of Representatives :

SIR—I have the honor to transmit herewith the annual report required by law from this department.

Very respectfully,

IRA MAYHEW,  
Sup't of Public Instruction.

On motion of Mr. J. D. Pierce,

The report of the superintendent of public instruction was referred to the committee on education.

The following message was received from the Senate:

SENATE CHAMBER,  
Detroit, January, 6, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit a joint resolution in relation to a legislative manual, and a joint resolution authorizing the Governor to appoint a private secretary, which the Senate have adopted, and in which the concurrence of the House is respectfully asked.

Also to inform you that Mr. Green has been appointed by the Senate on the committee to make arrangements for postage, with the Post Master at Detroit.

Your ob't serv't,

JAS. E. PLATT,

*Sec. Senate.*

The "joint resolution authorizing the Governor to employ a private secretary" was read twice, and

On motion of Mr. O'Malley,

The rule was suspended and the joint resolution read the third time and passed.

The "joint resolution in relation to a legislative manual" was read twice, and on motion of Mr. Arzeno, the rule was suspended and the resolution being under consideration, it was amended

On motion of Mr. Adam,

By inserting after the word "that" the words "the Secretary of the Senate, and the Clerk of the House shall cause," and add to the end of the resolution the following: "and also sufficient number for the use of the next legislature, to be deposited in the state library in charge of the Secretary of State, whose duty it shall be to cause the same to be distributed amongst the several members at the next session."

The joint resolution as amended, was then passed.

Mr. Seymour gave notice that on some future day he should ask leave to introduce a joint resolution relative to the sale of the minor-

al lands in the upper peninsula of Michigan, and a memorial to Congress asking for the settlement and confirmation of land titles at and near the village of Saut Ste. Marie, in the county of Chippewa.

The Speaker announced that the select committee to whom was referred that portion of the Governor's annual message relating to a geological survey, and the publication of a final report thereon, would consist of Messrs. Adam, Seymour and Britain, and the select committee on the location of the seat of government, would consist of Messrs. Throop, Chubb, Arzeno, Marantette, J. D. Pierce, Goodrich, and Bell.

On motion of Mr. Throop,

The committee of the whole were discharged from the further consideration of the "bill to locate the capitol," and it was referred to the select committee on that subject.

Mr. H. Mower gave notice that on some future day he should ask leave to submit a joint resolution proposing an amendment to the constitution of this state in relation to the election of the state officers and justices of the supreme court by the people.

Mr. Kilborne gave notice that on some future day he should ask leave to introduce a bill making appropriations on the Detroit and Grand River turnpike.

On motion of Mr. H. W. Taylor,

*Resolved*, That a select committee of five be appointed to revise the rules of this House, before the publication thereof in the manual.

On motion of Mr. Adam,

The fortieth rule was suspended, to enable him to introduce the following resolution, which was adopted :

*Resolved*, That there be added to the standing committees of the House, a committee of five, to be styled the committee on state affairs, whose duty it shall be to take cognizance of all matters of general interest, not properly devolving upon any other standing committee, and whenever the question may arise as to any matter being a legitimate subject of state legislation, to inquire and report thereon to the House.

On motion of Mr. Adam,

The committee of ways and means were discharged from the consideration of that portion of the Governor's message relating to bring-



ing within the "care and supervision of the government, subjects foreign to its real design," and that subject was referred to the committee on state affairs.

Mr. Throop pursuant to previous notice, asked and obtained leave to introduce a "bill providing for the election of a Senator in Congress," which was read twice, and referred to the committee on elections.

The Speaker presented a communication from the board of supervisors of Oakland county, asking compensation to certain supervisors for performing certain duties prescribed by law, which was read and referred to the committee on claims.

On motion of Mr. Goodwin,

The rules were suspended, to enable him to introduce a "joint resolution relative to joint rules and rules of joint conventions" previous notice not having been given.

On motion of Mr. Adam,

The fifteenth rule was suspended, that the joint resolution might now be taken up for consideration, and it was then read a first and second time, and ordered to be engrossed for a third reading.

Mr. Price, from the committee on engrossment and enrollment, reported the resolution as correctly engrossed, and it was then read the third time and passed.

Mr. H. W. Taylor offered the following resolutions:

*Resolved,* That the ministers of religion of all denominations residing in this city, and having the charge of congregations, excepting the chaplain of the Senate, be and they are hereby requested to open the daily sessions of the House of Representatives with prayer, in such order of rotation as shall be most convenient to themselves.

*Resolved,* That the Clerk of this House furnish a copy of the above resolution to each of the said ministers.

Mr. Chubb moved to amend by adding to the first resolution, the following:

"And that they receive for their compensation such sums as the members of the House see fit to contribute," which motion prevailed by the following vote:

YEAS.

Mr. Adam,  
Arzeno,

Mr. Goodell,  
Goodrich,

Mr. G. W. Moore,  
H. Mower,

Barker,  
Britain,  
Chubb,  
Clark,  
Darrah,  
Davison,  
Driggs,  
Eaton,  
Edmunds,  
Faxon,  
Fralick,  
Glen,

Goodwin,  
Harris,  
Hebard,  
Herrington,  
Jennings,  
Kelsey,  
Kilborne,  
Kinne,  
Knight,  
Lomis,  
Marantette,  
McGraw,  
NAYS.

Noble,  
O'Malley,  
D. Pierce,  
Pond,  
Price,  
Seeley,  
Shook,  
Truesdell,  
Turner,  
Upton,  
Van Duser,  
Walker,

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Mr. Bell,  
Brooks,  
Brown,  
Coates,  
Culver,  
Deming,  
Dyckman,  
Ferrington,

Mr. Goodyear,  
Haydon,  
Hollister,  
Johnson,  
Jones,  
Makley,  
McFarlin,

Mr. Miller,  
J. D. Pierce,  
Seymour,  
Shaw,  
H. W. Taylor,  
Throop,  
Speaker,

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On motion of Mr. Turner,

The resolutions were further amended by striking out "city," and inserting "state."

Mr. Jones moved to amend by striking out all after the word "resolved" and inserting the following: "That the House now proceed to the election of chaplain," pending which.

On motion of Mr. Britain, the whole subject was laid on the table.

The House then resolved itself into committee of the whole on the general order, Mr. Adam in the chair, and after a short time spent thereon, the committee rose, and by their chairman reported back the "joint resolutions relative to the revised statutes," and asked to be discharged from its further consideration.

The committee were discharged, and

On motion of Mr. Johnson,

The joint resolutions were referred to the committee on the judiciary.

The following message was received from the Executive :

EXECUTIVE OFFICE, }  
Detroit, January 7, 1847. }

*To the Senate and House of Representatives :*

I herewith transmit a communication this day received by me from the justices of the supreme court, in relation to the use of the law books in the state library. The inconveniences resulting from the

want of a library at a convenient place for consultation by the court, in the examination of causes submitted to them, have long been felt by the members of that tribunal. The plan here proposed of depositing at their counsel room, such law books as are not required for the use of the legislature; although, it will not fully obviate the difficulty, will give perhaps the only aid in the power of the legislature, at present, to afford. I therefore commend the subject of the communication to your consideration.

ALPHEUS FELCH.

On motion of Mr. Adam,

The message and accompanying documents were referred to the committee on the state library.

The following communication was received from the Secretary of State :

SECRETARY OF STATE'S OFFICE, }  
January 7, 1847. }

*Hon. the Speaker of the House of Representatives :*

SIR—I herewith transmit to the House of Representatives the annual report of the inspectors of the state prison, for the year ending October 31, 1846.

Very respectfully,

Your obedient servant,

G. O. WHITEMORE,

*Secretary of State.*

On motion of Mr. Goodwin,

The report of the inspectors of the state prison, was referred to the committee on state prison.

On motion of Mr. Adam, the House adjourned.

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*Friday, January 8, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. J. D. Pierce.

On calling the roll, Messrs. Ferrington, Goodrich, Hollister, Noble, and Upton, were absent without leave.

The journal of yesterday was read and corrected.

Mr. Edmunds announced that George Renwick, a Representative elect from the county of Washtenaw, was in attendance, and Mr. Renwick thereupon appeared, subscribed the constitutional oath, and took his seat.

The Speaker announced the following as the standing committee on state affairs, Messrs. Goodwin, Noble, Brooks, Bell and Eaton :

As the select committee to revise the rules of this House, Messrs. H. W. Taylor, Johnson, Glen, Britain and Eaton :

As the joint committee on the part of the House, to revise the joint rules and rules of joint conventions, Messrs. Goodwin, Edmunds and Throop.

#### PETITIONS PRESENTED.

By Mr. Harris, of Asa Pratt, for relief. Referred to the committee on public lands.

By Mr. H. Mower, of inhabitants of Grand River Valley, for the attaching of certain towns to Clinton county, for judicial purpose s Referred to the committee on the organization of towns and counties.

Mr. Taylor, from the select committee, to revise the rules of the House, made the following report, which was accepted, and the committee discharged :

The select committee to revise the rules of this House, respectfully report :

That they have examined the rules in force at the last session of the legislature, and recommend them for adoption as the rules of this House, with the following amendments :

1st. Insert a new rule, to stand as rule twenty-eight, as follows :

Rule 28. Any member who votes on that side of a question which prevailed, and which requires two-thirds of the members present to carry the affirmative, may be at liberty to move for a reconsideration ; and a motion for reconsideration shall be decided by a majority of votes.

2nd. Add to the present twenty-eighth rule, the following: "Except that the yeas and nays shall not be called, the previous question enforced, nor the times of speaking limited."

3rd. The rules after rule twenty-seven, shall be numbered so as to correspond with the foregoing amendments.

Mr. Goodwin, from the joint committee appointed to revise the joint

rules, and rules of joint conventions. made the following report, which was accepted, and the committee discharged ;

The joint committee on the joint rules and rules of joint conventions of the Senate and House of Representatives, respectfully report, that they have carefully reviewed the said joint rules and rules of joint conventions of the last session, and recommend their adoption as the rules of this session of the legislature with the following amendment :

In joint rule 8 in the 5th line, after the word "money" insert the words "or property."

The following communication was received from the Attorney General ;

ATTORNEY GENERAL'S OFFICE, }  
Detroit, January 8, 1847. }

Hon. G. W. PECK, *Speaker of the House of Representatives:*

SIR—I have the honor to herewith transmit the annual report from this office.

I am very respectfully,

Your obedient servant,

HENRY N. WALKER,

*Attorney General.*

On motion of Mr. Adam,

The report of the Attorney General was referred to the committee on the judiciary.

Mr. Seymour, pursuant to previous notice, asked and obtained leave to introduce a "bill to provide for the construction of a ship canal around the Falls of the Ste. Marie," which was read twice and referred to the committee on banks and incorporations.

On motion of Mr. J. D. Pierce,

*Resolved*, That the committee on agriculture and manufactures be instructed to inquire into the expediency of providing by law, that no owner or occupant of land shall be entitled to recover for any trespass or damage, that may be done by neat stock, unless said owner or occupant shall have a good and substantial fence four feet and a half high.

Mr. Harris gave notice that on some future day he would ask leave to introduce a bill for the construction of a canal around the rapids of Grand River, at Grand Rapids.

On motion of Mr. Adam,

*Resolved*, That the committee on elections be instructed to inquire into the expediency of providing by law that every person offering to vote at any election shall, if required by an inspector of the election or other qualified voter, take an oath that he has not directly or indirectly made any bet or wager on the result of the election at which he offers his vote.

On motion of Mr. Eaton,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of so amending title twenty-one, chapter ninety-three of the revised statutes, entitled of courts held by justices of the peace, as to confer authority upon justices of the peace to renew executions issued by them.

On motion of Mr. Pond,

*Resolved*, That the committee on printing be instructed to request the state printers to print the journals of this House in such a form as may be conveniently bound.

On motion of Mr. D. Pierce,

*Resolved*, That the committee on the judiciary be instructed to inquire into the propriety of amending or altering title three, chapter fourteen, sections twenty-four and twenty-five of the revised statutes of 1846, so as to abolish the appeals from the board of supervisors or county auditors of any county to the circuit court.

Mr. Seymour, pursuant to previous notice, asked and obtained leave to introduce a joint resolution relating to the leasing of the mineral lands by the United States, which was read twice and referred to the committee on federal relations.

On motion of Mr. Adam,

The reports of the committee to revise the rules of the House, and of the joint committee to revise the joint rules and the rules of joint conventions, were referred to the committee of the whole and placed on the general order.

On motion of Mr. Goodwin,

The following resolution was taken from the table:

*Resolved*, That the ministers of religion of all denominations, residing in this state, and having charge of congregations, excepting the chaplain of the Senate, be and they are hereby requested to open the daily sessions of the House of Representatives with prayer in

such order of rotation as shall be most convenient for themselves; and that they receive such compensation therefor as the members of the House see fit to contribute.

*Resolved*, That the Clerk of this House furnish a copy of the above resolution to each of the said ministers.

And the question being on the amendment, offered by Mr. Jones, striking out all after the word "Resolved," and inserting "That this House now proceed to the election of chaplain," a division was called for, and the question being first taken on striking out, it prevailed.

The question then recurring on the proposition to insert, Mr. Adam moved to amend the amendment by striking out the words "a chaplain" and insert "chaplains, to officiate alternately" which motion was lost.

Mr. Chubb offered the following substitute for the amendment:

"That this House will elect eight chaplains, one from each of the christian denominations in this city, to officiate in weekly succession in the following order: first Methodist, second Catholic, third Presbyterian, fourth Universalist, fifth Episcopalian, sixth Baptist, seventh Lutheran, and eighth Congregationalist, and that they receive such compensation for their services as the members of the House shall contribute at the end of each week."

Mr. Fralick moved the previous question, which motion was not sustained by the House, and the question recurring on the substitute, it was rejected.

Mr. Throop moved to amend the amendment, by inserting the words "Rev. James F. Davidson as" before the word "chaplain" which motion did not prevail.

The original amendment was then agreed to, and the resolution as amended was adopted.

Mr. Glen moved that the House take a recess of ten minutes, which motion was lost.

The House then proceeded to an election of chaplain under the resolution, and on calling the roll the members severally voted as follows:

For JAMES F. DAVIDSON—Messrs. Barker, Bell, Britain, Davison, Deming, Driggs, Fralick, Glen, Goodyear, Harris, Haydon, Harrington, Hollister, Kilborne, Lomis, Makley, Marantette, McGraw,

Miller, G. W. Moore, H. Mower, Noble, Seeley, Shaw, H. W. Taylor, Throop, Upton, Van Duser, Walker, Speaker—30.

For NATHANIEL WEST—Messrs. Arzeno, Chubb, Darrah, Johnson, Jones, Kinne, McFarlan, Truesdell—8.

For JAMES INGLIS—Messrs. Adam, Brown, Ferrington, Goodell, O'Malley, D. Pierce, Pond, Seymour—8.

For JOHN D. PIERCE—Messrs. Coates, Culver, Dyckman, Eaton, Knight—5.

For JAMES S. HARRISON—Messrs. Edmunds, Faxon, Hebard, Jennings, Kelsey—5.

For HENRY L. HAMMOND—Messrs. Brooks, Goodwin, J. D. Pierce—3.

For JOHN GREY—Messrs. Price, Shook—2.

For JOSEPH HADRELL—Mr. Clark—1.

For EBENEZER McDOWELL—Mr. Goodrich—1.

BLANK—Messrs. Renwick, Turner—2.

There being no choice, the House took another vote, with the following result :

For JAMES F. DAVIDSON—Messrs. Adam, Barker, Bell, Britain, Davison, Deming, Driggs, Dyckman, Eaton, Faxon, Ferrington, Fralick, Glen, Goodell, Goodrich, Goodyear, Harris, Haydon, Hebard, Harrington, Hollister, Johnson, Jones, Kelsey, Kilborne, Kinne, Lomis, Makley, Marantette, McGraw, Miller, G. W. Moore, H. Mower, Noble, Seeley, Shaw, Shook, H. W. Taylor, Throop, Turner, Upton, Van Duser, Walker, Speaker—44.

For NATHANIEL WEST—Messrs. Arzeno, Chubb, Coates, Culver, Darrah, McFarlan, Truesdell—7.

For HENRY L. HAMMOND—Messrs. Brooks, Goodwin, Knight, J. D. Pierce—4

For JAMES INGLIS—Messrs. Brown, D. Pierce, Pond, Seymour—4

For JAMES S. HARRISON—Messrs. Edmunds, Jennings—2.

For WILLIAM F. MARTIN—Mr. Clark—1.

BLANK—Messrs. O'Malley, Pierce, Renwick—3.

Rev. James F. Davidson, having received a majority of all the votes, was declared to be duly elected Chaplain to this House.

On motion of Mr. Hollister,

A committee of three was ordered to be appointed to inform Mr. Davidson of his election, and



The Speaker appointed as such committee, Messrs. Hollister, Britain and Throop.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, January 8, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the joint resolution relative to joint rules, and rules of joint conventions, and to respectfully inform you that the Senate have concurred therein.

Also, to inform you that Senators Green, Maynard and Robinson, were appointed a committee on the part of the Senate, under the above named resolution ; that the report of said committee has been concurred in, and that the Senate have adopted the joint rules, and the rules of joint conventions of the last session, with the amendment proposed by the committee.

Also, to inform you that the Senate have concurred in the House amendments to the joint resolution in relation to legislative manual, and have ordered the resolution as amended, to be enrolled.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The House resolved itself into committee of the whole on the general order, Mr. Glen in the chair, and after some time spent thereon, the committee rose and by their chairman reported that they had had under consideration the report of the joint committee on the joint rules and rules of joint conventions, which they reported back without amendment, and the rules as reported were adopted by the House.

The committee of the whole, by their chairman, also reported that they had had under consideration the report of the select committee appointed to revise the rules of the House, to which report they had made two amendments, in which the concurrence of the House was asked.

The first amendment, being the addition of the committee on state affairs, and the committee on harbors to the list of committees, was concurred in.

The question being on concurring in the second amendment, which is an additional rule, in the following words ;

"Rule —. A refusal of the House to strike out, shall not preclude a motion to amend," when,

On motion of Mr. H. W. Taylor,  
The House adjourned.

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*Sturdaay, January 9, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the chaplain, Rev. Mr. Davidson.

On calling the roll, Messrs. Britain, Brown, Darrah, Dyckman, Glen, Goodyear, Harris, McFarlan, Seymour and Shaw were absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Noble. Of the Monroe City Guards, for an amendment of the militia law, providing for the election of field officers by commissioned officers. Referred to the committee on militia.

By Mr. Upton. Of Wm. Shepard and others, inhabitants of Grand River Valley, for the attaching of certain towns in Gratiot county to the county of Clinton, for judicial purposes. Referred to the committee on the organization of townships and counties.

Mr. Adam, from the committee on ways and means, reported a 'bill to provide for the payment of members and officers of the legislature,' which was read twice, referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. Throop, from the select committee appointed to inform the chaplain of his election, reported that they had discharged the duty assigned them, and had received for answer that he accepted the appointment, and would attend and discharge the duties incumbent on him.

The following message was received from the Senate :

SENATE CHAMBER,  
*Detroit, January 8, 1847.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit a joint resolution in

relation to the State Prison, which the Senate have adopted, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The "joint resolution relative to the state prison," was read twice and referred to the committee on state prison.

Mr. Haydon asked and obtained leave of absence for Mr. Darrah for the day.

On motion of Mr. Upton,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of providing by law that plaintiffs in attachment shall be entitled to recover expenses necessarily incurred in keeping and maintaining horses, cattle and other property, held by authority of process issued by justices of the peace.

On motion of Mr. Eaton,

*Resolved*, That the committee on education be instructed to inquire into the expediency of so amending title eleven, chapter fifty-eight of the new Revised Statutes, entitled of Primary Schools, as to confer authority upon school district officers, or some one of them, to assist teachers of schools when called upon to preserve order.

The report of the committee of the whole on the rules for the government of the House, came up as unfinished business, and the question being on concurring in the amendment proposing the following additional rule, it was non-concurred in :

"Rule -. A refusal of the House to strike out, shall not preclude a motion to amend."

Mr. Britain moved to amend rule twenty-seven, by adding thereto the following : "But no question for a reconsideration of a decision shall be taken until the day following that on which the decision was made."

Mr Chubb offered the following substitute for the amendment :

Strike out of the second line of rule twenty-seven, the words "the same day or," and add at the end of the rule the following : "Any matter shall be retained by the clerk for one day, on the request of any member," which substitute was rejected.

The question then recurring on the amendment moved by Mr. Britain, it was lost by the following vote :

## YEAS.

Mr. Adam,  
Britain,  
Brooks,  
Chubb,  
Clark,  
Coates,  
Culver,  
Driggs,  
Edmunds,  
Faxon,

Mr. Goodrich,  
Hollister,  
Jennings,  
Johnson,  
Kelsey,  
Kilborne,  
Lomis,  
Makley,  
Marantette,  
McFarlan,

Mr. H. Mower,  
Noble,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Seymour,  
Truesdell,  
Van Duser,  
Walker,

30

## NAYS.

Mr. Arzeno,  
Bell,  
Davison,  
Deming,  
Dyckman,  
Eaton,  
Ferrington,  
Fralick,  
Glen,  
Goodell,  
Goodwin,

Mr. Goodyear,  
Harris,  
Hebard,  
Herrington,  
Jones,  
Kinne,  
Knight,  
McGraw,  
Miller,  
G. W. Moore,

Mr. O'Malley,  
D. Pierce,  
Seeley,  
Shaw,  
Shook,  
H. W. Taylor,  
Throop,  
Turner,  
Upton,  
Speaker,

31

On motion of Mr. Johnson,

The twenty-seventh rule was amended by inserting the following after the word "reconsideration," in the fourth line : "And in all cases where a motion is made to reconsider, the same shall lie over one day, at least, before the question be taken upon such reconsideration.

Mr. Arzeno moved to amend the twenty-ninth rule, by striking out therefrom the words "nor times of speaking limited," which motion was lost.

The rules as amended, were then adopted by a two thirds vote.

Mr. Johnson, from the committee on the state prison, by common consent, reported back the "joint resolution in relation to the state prison," without amendment, and recommended its passage.

Mr. Throop moved to amend the joint resolution by striking out of the tenth and eleventh lines, the words "and to visit, or cause to be visited, by one or more of their number, the state prison," which motion was lost.

The resolution was then ordered to a third reading, and

On motion of Mr. Eaton,

The rule was suspended, and the joint resolution was read the third time and passed.

On motion of Mr. J. D. Pierce,  
The House adjourned.

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*Monday, January 11, 1847.*

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Deming, Eaton, H. Mower and Noble were absent without leave.

The journal of Saturday was read and approved.

Mr. Harris announced that Charles H. Taylor, member elect from the representative district composed of the counties of Kent and Ottawa, was in attendance, and Mr. Taylor appeared, was sworn in by the Speaker, and took his seat.

Mr. Fralick asked and obtained leave of absence for Mr. Eaton for the day.

Mr. H. W. Taylor presented the claim of Daniel Mann, which was referred to the committee on claims.

Mr. H. W. Taylor, from the committee on the state library, made the following report, which was accepted, and the committee discharged from the further consideration of the subject.

The standing committee on the State Library to which was referred the communication of the Judges of the Supreme Court to his Excellency the Governor, respectfully

REPORT,

That "with a view to the despatch of business by the court, and to promote the convenience of all persons interested, the Judges respectfully submit for consideration, the expediency of having such of the law books in the state library as may be useful for the court, and not needed by the Legislature, removed to the counsel room of the Supreme Court, to be there kept under the charge of the court, until it shall be found to be proper or necessary to make some other disposition of them."

Your committee believe that the principal advantage to the state of

that part of the State Library, consists in its aid to the Supreme and other Courts in the performance of their official duties, of which, while the books remain in the capitol, they are in a great measure deprived.

Satisfied of the propriety of the request by the reasons presented in the said communication, your committee have directed their chairman to report the following joint resolution.

*Resolved*, (if the Senate concur) that the Secretary of State is authorized to place in the counsel room of the Supreme Court, such of the law books in the State library, as may be useful to the court, and not needed by the Legislature, there to be kept under the joint charge of the Secretary of State and Chief Justice: *Provided*, The said Secretary of State and Chief Justice shall take all proper precautions and security to preserve the said books from injury and loss.

The "joint resolution relative to the state library" was read twice, referred to the committee of the whole and placed on the general order.

Mr. Adam, from the committee on ways and means, reported a "bill to provide for the payment of interest on the amounts due from the state to the university and school funds," which was read twice, referred to the committee of the whole and ordered to be printed.

The following message was received from the Senate:

SENATE CHAMBER,  
Detroit, January 9, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the "joint resolution in relation to the printing of bills" which the Senate have adopted with amendments, in which they respectfully ask the concurrence of the House.

Your ob't serv't,

JAS. E. PLATT,

*Sec. Senate.*

The Senate amendments to the "joint resolution in relation to the printing of bills," were concurred in, and the joint resolution ordered to be enrolled.

On motion of Mr. Arzeno,

*Resolved*, That the committee on the judiciary be instructed to in-

quire into the expediency of reporting a law to prevent trapping and the destruction of game, in any of the organized counties of this state, by the subjects of a foreign power or Indians not residents of the state.

On motion of Mr. J. D. Pierce,

*Resolved*, That the committee on state affairs be instructed to inquire into the expediency of providing for the exemption from attachment and sale on execution, the homestead of every resident of the state, not exceeding —— number of acres, and not exceeding —— dollars in value.

Mr. Goodrich gave notice that on some future day he should ask leave to introduce a bill to amend an act entitled an act to incorporate the Pontiac and Genesee rail road company, approved May 15, 1846.

Mr. McFarlan gave notice that on some future day he should ask leave to introduce a bill to amend an act entitled an act to incorporate the Detroit and Grand River plank road company, approved March 12, 1844.

Mr. Fralick gave notice that on some future day he should ask leave to introduce a bill to provide for the election of a justice of the peace in the city of Detroit, who shall have exclusive jurisdiction in all criminal proceedings arising in said city and coming within the jurisdiction of a justice of the peace as provided by the revised statutes of 1846, and for other purposes.

The House then resolved itself into committee of the whole on the general order, Mr. Noble in the chair, and after some time spent thereon the committee rose and by their chairman reported that they had had under consideration, a bill to provide for the payment of members and officers of the legislature, and a joint resolution relative to the state library, which they reported back without amendment.

The bill to provide for the payment of members and officers of the legislature, being under consideration,

Mr. Chubb moved to amend the bill by striking out all after the enacting clause, and inserting the following:

That there be, and hereby is appropriated out of any moneys in the state treasury the sum of —— thousand dollars for the payment of members and officers of the legislature for the present year, and for defraying the incidental expenses thereof.

Sec. 2. The state treasurer is hereby authorized and directed, out of the appropriation aforesaid, to pay the members of the legislature for the present year, from time to time, upon the certificate of the President of the Senate and Speaker of the House of Representatives respectively, such sums as may be due to the several members thereof, at the rate of two dollars per day and two dollars for every twenty miles' travel to and from the capitol, and to the President of the Senate, to be certified by the Secretary of the Senate, and to the Speaker of the House of Representatives, upon the certificate of the Clerk thereof, two dollars per day, and travel as aforesaid; and to the Secretary of the Senate and Clerks and Sergeants-at-Arms of the two Houses respectively, two dollars per day each; and to the firemen of said Houses one dollar and fifty cents per day each; and to each of the messengers of said Houses, one dollar per day, on the certificate of the President of the Senate and Speaker of the House of Representatives respectively as aforesaid.

Sec. 3. This act shall take effect and be in force from and after its passage.

A division of the question was called for, and it being first on striking out, before that question was taken,

Mr. H. W. Taylor moved to amend the bill by adding to the second section thereof the following words, "and to the Chaplains of the Senate and House of Representatives, the sum of —— dollars," which motion was lost by yeas and nays as follows:

#### YEAS.

Mr. Bell,  
Brooks,  
Darrah,  
Davison,  
Dyckman,  
Glen,  
Goodyear,  
Haydon,  
Hollister,

Mr. Johnson,  
Kelsey,  
Knight,  
Makley,  
McFarlan,  
Miller,  
G. W. Moore,  
J. D. Pierce,

Mr. Renwick,  
Seeley,  
Seymour,  
Shaw,  
H. W. Taylor,  
Throop,  
Van Duser,  
Speaker,

25

#### NAYS.

Mr. Adam,  
Arzeno,  
Barker,  
Britain,  
Brown,

Mr. Ferrington,  
Fralick,  
Goedell,  
Goodrich,  
Goodwin,

Mr. Marantette,  
McGraw,  
H. Mower,  
Noble,  
O'Malley,



Chubb,  
Clark,  
Coates,  
Culver,  
Deming,  
Driggs,  
Edmunds,  
Faxon,

Harris,  
Hebard,  
Harrington,  
Jennings,  
Jones,  
Kilborn,  
Kinne,  
Lomis,

D. Pierce,  
Pord,  
Price,  
Shook,  
Truesdell,  
Turner,  
Upton,  
Walker, 39

Mr. Edmunds moved to strike out the word "three" before "dollars" where it occurs in the first section, which motion was lost by the following vote :

## YEAS.

Mr. Barker,  
Brooks,  
Chubb,  
Clark,  
Driggs,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,

Mr. Haydon,  
Hollister,  
Jennings,  
Jones,  
Kelsey,  
Lomis,  
McGraw,  
H. Mower,  
Noble,

Mr. D. Pierce,  
Price,  
Renwick,  
Seymour,  
Shook,  
H. W. Taylor,  
Truesdell,  
Speaker, 26

## NAYS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Dyckman,  
Glen,  
Goodell,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Hebard,  
Harrington,  
Johnson,  
Kilborn,  
Kinne,  
Knight,  
Makley,  
Marantette,  
McFarlan,

Mr. Miller,  
G. W. Moore,  
O'Malley,  
J. D. Pierce,  
Pond,  
Seeley,  
Shaw,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Walker, 38

Mr. H. W. Taylor moved to strike out "three dollars" in the first section, and insert "two dollars and fifty cents," which motion was lost.

Mr. Edmunds moved to amend section one by striking out of the fourth line the word "one" before "session" and insert "future," and insert after "session" the words "and not exceeding thirty days at the present session."

Mr. Throop moved to amend the amendment by striking out the word "thirty" and insert "forty-five," which motion was lost.

The question then recurring on the original amendment, a division was called for, and it was then taken on striking out "one" and inserting "future" it was lost by yeas and nays as follows:

## YEAS.

Mr. Brooks,  
Clark,  
Edmunds,  
Ferrington,  
Fralick,  
Goodell,

Mr. Jennings,  
Kelsey,  
H. Mower,  
Noble,  
D. Pierce,  
Renwick,

Mr. Seymour,  
H. W. Taylor,  
Throop,  
Truesdell,  
Turner,

17

## NAYS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Britain,  
Brown,  
Chubb,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Faxon,  
Glen,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Johnson,  
Jones,  
Kilborn,  
Kinne,  
Lomis,  
Makley,  
Marantette,

Mr. McFarlan,  
McGraw,  
Miller,  
G. W. Moore,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Shaw,  
Shook,  
Upton,  
Van Duser,  
Walker,  
Speaker,

46

Mr. H. W. Taylor moved an adjournment, but the House refused to adjourn.

Mr. Chubb moved a call of the House, which was had, and it was found that Messrs. Knight, C. H. Taylor and H. W. Taylor were absent without leave.

Mr. Harris asked and obtained leave of absence for Mr. C. H. Taylor for the day, on account of ill health.

On motion of Mr. Adam.

Further proceedings under the call were dispensed with.

The question then recurring on the second branch of the amendment moved by Mr. Edmunds, which inserts after the word "session" in the fourth line of section one, the words "and not exceeding thirty days at the present session," it was decided in the negative by the following vote:

## YEAS.

Mr. Adam,  
Barker,  
Brooks,  
Brown;  
Chubb,  
Clark,  
Coates,  
Culver,  
Deming,  
Edmunds,

Mr. Faxon,  
Ferrington,  
Fralick,  
Goodell,  
Goodwin,  
Hebard,  
Hollister,  
Jennings,  
Kelsey,  
Kilborne,

Mr. H. Mower,  
Noble,  
D. Pierce,  
Renwick,  
Seymour,  
Shaw,  
Throop,  
Truesdell,  
Turner,  
Walker,

30

## NAYS.

Mr. Arzeno,  
Bell,  
Britain,  
Darrah,  
Davison,  
Driggs,  
Dyckman,  
Glen,  
Goodrich,  
Goodyear,  
Harris,

Mr. Haydon,  
Herrington,  
Johnson,  
Jones,  
Kinne,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,  
Miller,

Mr. G. W. Moore,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Shook,  
Upton,  
Van Duser,  
Speaker,

32

Mr. Edmunds moved to strike out "six" before "dollars" in the third line of section one, which was lost.

Mr. Noble moved to amend the first section by inserting after the word "session" in the fourth line, "and not exceeding forty-six days at the present session," which motion did not prevail.

On motion of Mr. Chubb,  
The House adjourned.

*Tuesday, January 12, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Britain and Goodrich were absent without leave.

The journal of yesterday was read and approved.

## PETITIONS PRESENTED.

By Mr. C. H. Taylor. Of Geo. A. Robinson for pay for services rendered the state. Referred to the committee on claims.

By Mr. O'Malley. Of H. Hubbard, and forty-five others, for the setting off the Beaver Islands into a separate township. Referred to the committee on the organization of townships and counties.

By Mr. J. D. Pierce. A communication from the board of supervisors of Calhoun county, relative to the location of the capitol. Referred to the select committee on that subject.

Mr. Adam, from the committee on ways and means, to whom was referred that portion of the Governor's message which relates to the part paid bonds of this state, made a report on that subject, accompanied by a "bill to authorize the issue of new bonds for the outstanding part paid bonds of this state," which bill was read twice, referred to the committee of the whole and ordered to be printed.

The report was read, and,

On motion of Mr. Goodwin,

Five hundred extra copies ordered to be printed.

Mr. Price, from the committee on engrossment and enrollment, reported the "joint resolution relative to the printing of bills," as correctly enrolled, and that the same was this day presented to the Governor for his approval.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, January 11, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit a "joint resolution relative to certain salt spring lands" which the Senate have adopted and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The "joint resolution relative to certain salt spring lands," was read twice, and referred to the committee on federal relations.

On motion of Mr. H. W. Taylor,

The "joint resolution proposing amendments to the constitution of this state" was ordered printed.

Mr. Johnson moved that he be discharged from serving on the standing committee on state prison, which motion prevailed.

Mr. Davison offered the following resolution, which was

On motion of Mr. Britain, laid on the table;

*Resolved*, That the Secretary of State be directed to furnish to the Clerk of the House, the Enrolling and Engrossing Clerk, the Sergeant-at-Arms, and the reporters for the Free Press and Advertiser, each a copy of the new revised statutes, and the session laws, journals and documents of the last legislature.

Mr. Hebard gave notice that on some future day he should ask leave to introduce a bill to repeal part of the act authorizing the construction of a wagon road on the line of the northern rail road, approved March 9, 1843.

Mr. Goodrich, pursuant to previous notice, asked and obtained leave to introduce a "bill to amend an act entitled an act to incorporate the Pontiac and Genesee Railroad Company," which was read twice and referred to the committee on banks and incorporations.

On motion of Mr. Shaw,

*Resolved*, That the committee on education be instructed to inquire whether the present disposition of the university fund tends most to promote the best interests of the community, and the object for which the liberal donation of land was made by Congress. Whether the present mode of applying this fund to the support of one central institution, and to the highest branches of literature does not tend to foster and build up an aristocracy, and create unjust and unnatural distinction in society, contrary to the spirit and subversive of our free republican institutions; giving the sons of the wealthy class a monopoly of the grant made by Congress for educational purposes. Whether the application of the fund to the support of good teachers in our common schools, would not raise those schools to a high standard, and by giving to all classes the means of providing a liberal education, tend to promote general intelligence among the rising generation, elevating the masses, and produce that equality and harmony in the community which are so peculiarly adapted to, and tend to preserve and perpetuate our free and liberal institutions. To inquire into the expediency of altering our laws in relation to the university funds, so that its application and appropriation may diffuse the blessing of education more equally among the various classes of society, and that its means may be applied to promote the best interests of the community at large, and report by bill or otherwise.

On motion of Mr. D. Pierce,

*Resolved*, That Wendell Buck have leave to withdraw from the files of the House, any papers relating to a claim preferred by him against the state.

On motion of Mr. Kelsey,

*Resolved*, That the committee on state affairs be instructed to inquire into the expediency of the passage of a law providing that the taxes on all lands hereafter assessed, shall be paid to the county treasurers in which said lands are situated.

Mr. H. W. Taylor offered the following preamble and resolution, which were,

On motion of Mr. Adam, laid on the table.

*Whereas*, The circulating medium of this state, is altogether insufficient to answer the legitimate demands of the fair and regular business thereof, and to perform the necessary exchanges required in the prompt purchase of the great and rapidly increasing productions of our soil—our forests and fisheries—to develop the wealth of our mines, and to stimulate and encourage the just enterprise of the people;

*And whereas*, Unsound and fallacious theories of banking, adopted in this state, have proved practically ruinous to bankers, and banefully pernicious to the whole people;

*And whereas*, Experience has shewn that a pure metallic currency in sufficient abundance to meet the wants of the people, in a country, though rich in natural resources, yet poor in accumulated wealth, is a consummation, however desirable, utterly impracticable.

*And whereas*, A very large proportion of the effective currency of the state, is of a depreciated character, not convertible into specie at home, having been issued by banking corporations of other and distant states and foreign provinces, and of doubtful and uncertain solvency. Whereby, and by reason of each of the above causes, the people of this state are subjected to heavy losses, as well upon the depreciated currency received in exchange for the products of their agricultural and other industry, as upon the inadequate price paid therefor, amounting to several hundred thousand dollars per annum.

*And whereas*, It is a solemn duty of government to provide for the people a sufficient as well as sound currency, so that industry may not be repressed, labor go unrewarded, enterprise discouraged, the

people impoverished, nor the country hindered in its march of progressive improvement: Therefore,

*Resolved*, That the committee on banks and incorporations, be and they are hereby instructed, to devise and report to this House, some plan providing an adequate relief to the people of the state, from these onerous burdens, harrassing privations, and ruinous losses.

On motion of Mr. H. Mower,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of bringing in a bill to provide for the taking of depositions in criminal cases of witnesses who are sick and unable to attend the trial of any indictment now pending, or hereafter to be presented, or who are about to depart from the state.

On motion of Mr. Goodwin,

*Resolved*, That it be a standing rule of this House to print all bills and resolutions reported by standing committees, until further ordered.

*Resolved*, That this rule may be suspended by a majority vote.

#### UNFINISHED BUSINESS.

The "bill to provide for the payment of members and officers of the legislature," came up as unfinished business, when

Mr. Truesdell moved to amend the bill by striking out all of the first section after the enacting clause, and inserting the following, which motion was lost :

That the compensation of members of the Senate and of the House of Representatives shall be three dollars a day each, and of the Speaker of the House four dollars for each day's attendance for the first forty seven days of any one session, and for every day thereafter one dollar a day, and their mileage shall be computed at the rate of two dollars for every twenty miles to and from the capitol by the most usually traveled route.

The question then recurring on the substitute for the bill, offered yesterday by Mr. Chubb,

Mr. Turner moved the previous question, which was sustained by the House, and the main question was ordered to be now put.

The question then being on striking out and inserting, a division was called for, and it was first taken on striking out, and decided in the negative by the following vote :

## YEAS.

Mr. Barker,  
Brooks,  
Chubb,  
Clark,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,  
Goodell,

Mr. Haydon,  
Hollister,  
Jennings,  
Kelsey,  
Kilborne,  
Lomis,  
McGraw,  
H. Mower,  
Noble,

Mr. D. Pierce,  
Price,  
Renwick,  
Seymour,  
Shook,  
H. W. Taylor,  
Truesdell,  
Turner,  
Speaker, 26

## NAYS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,

Mr. Glen,  
Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Hebard,  
Harrington,  
Johnson,  
Jones,  
Kinne,  
Knight,  
Makley,  
Marantette,

Mr. McFarlan,  
Miller,  
G. W. Moore,  
O'Malley,  
J. D. Pierce,  
Pond,  
Seeley,  
Shaw,  
C. H. Taylor,  
Throop,  
Upton,  
Van Duser, 38

The main question, being on ordering the bill to be engrossed and read the third time, prevailed by yeas and nays, as follows :

## YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Glen,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Hebard,  
Herrington,  
Johnson,  
Jones,  
Kinne,  
Knight,  
Makley,  
Marantette,  
McFarlin,  
Miller,

Mr. G. W. Moore,  
Noble,  
O'Malley,  
J. D. Pierce,  
Pond,  
Seeley,  
Shaw,  
C. H. Taylor,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Speaker, 41

## NAYS.

Mr. Barker,  
Brooks,  
Chubb,  
Clark,

Mr. Goodell,  
Haydon,  
Hollister,  
Jennings,

Mr. H. Mower,  
D. Pierce,  
Price,  
Renwick,



Edmunds,  
Faxon,  
Ferrington,  
Fralick,

Kelsey,  
Kilborn  
Lomis,  
McGraw,

Seymour,  
H. W. Taylor,  
Truesdell,

23

The joint resolution in relation to the state library was ordered to an engrossment and third reading.

Mr. Price, from the committee on engrossment and enrolment, reported the above named bill and joint resolution as correctly engrossed, and they were severally read the third time and passed.

The House then resolved itself into committee of the whole on the general order, Mr. Edmunds in the chair,

And after a short time spent thereon, the committee rose and by their chairman repoted that they had had under consideration a "bill to provide for the payment of interest on the amount due from the State to the university and school funds," to which they had made an amendment, in which the concurrence of the House was asked.

The amendment was concurred in, and the bill ordered to be engrossed and read the third time.

Mr. Price, from the committee on engrossment and enrollment, reported the bill as correctly engrossed, and,

On motion of Mr. Adam,

The twenty-first rule was suspended, and the bill read the third time and passed.

On motion of Mr. J. D. Pierce,

The House adjourned.

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*Wednesday, January 13, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Chubb, Eaton, Edmunds and D. Pierce were absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. C. H. Taylor. The petitions of Peter Patterson, Thomas Healy and John Hogadone, settlers on the salt spring lands, for relief. Referred to the committee on public lands.

By Mr. Barker. Of S. W. Freelove, and others, for the addition of a part of the township of Bertrand to the township of Niles. Referred to the committee on the organization of townships and counties.

By Mr. Johnson. Of Charles L. Bird and Joseph A. Kent, for the allowance of certain moneys by them expended on the Central Railroad. Referred to the committee on claims.

By Mr. Hebard. Of Miles J. Beach, and fifty-one others, for the formation of a new county out of parts of Oakland, Lapeer, St. Clair and Macomb. Referred to the committee on the organization of townships and counties.

By Mr. Deming. Of citizens of the township of Dover, for the passage of a law legalizing a certain assessment in said township. Referred to the committee on the judiciary.

By Mr. C. H. Taylor. Of Thomas McIver, for a change of the name of John McIver, to John Riley. Referred to the committee on the judiciary.

The Speaker presented the memorial of the board of supervisors of the county of Livingston respecting the present tax laws, and asking for an alteration of the same. Referred to the committee on state affairs.

Also, the claim of Henry Stevens, for services as clerk in the office of the Secretary of State. Referred to the committee on claims.

Also, the petition of the Chippewa Indians residing on the Northern Peninsula, asking the interposition of the legislature in procuring for them rights of citizenship. Referred to the committee on federal relations.

#### REPORTS.

Mr. Goodwin, from the committee on elections, to whom was referred the bill providing for the election of a senator in congress, reported the same back, and reported adverse to any legislative action on the subject.

The report was accepted, and the committee discharged from the further consideration of the subject.

On motion of Mr. Throop,

The bill was laid on the table.

Mr. Noble, from the committee on the judiciary, made the following reports which were accepted, and the committee discharged from the further consideration of the subjects :

The committee to whom was referred the petition of Oka Town, for legislative aid in perfecting the title in John A. Dimick of certain lands in said petition described, ask leave to report:

That they have had the matter under consideration, and though the facts are not very fully or clearly set forth in the petition, which might have a bearing upon the question, yet it does appear that the title to the lands in question, is in minor heirs. Your committee are well aware that our statute books are filled with precedents for such cases. But they submit that this proves no sound reason or apology for injudicious or unwise legislation—great evils and great injustice may be done by legislative interference with the estates of minors. The legislature cannot enforce any restrictions, nor throw around the disposition of the avails of an estate, those safeguards which are so essential for security and protection, and your committee deem it especially unwise to legislate in these matters which properly come within the province of judicial decision, and as the petitioner has an easy and speedy remedy by the existing laws, legislative action in the premises is not deemed judicious.

The judiciary committee, to whom was referred the petition of supervisors of township of the Allegan, have had the same under consideration, and instructed their chairman to report, that the facts presented in said petition are not such, in their opinion, as demand legislative action. The petitioner asks that an illegal assessment may, by an act of the legislature be made valid. It is submitted that such an act, if it were passed, would be of no validity, and could, in no way, cure the defects in said assessment. Your committee deem it highly inexpedient to pass any law which would necessarily throw doubts upon the validity of titles acquired under sales made for delinquent taxes. The existing provisions of law in regard to the re-assessment of the taxes affords perhaps the best remedy. Your committee deem it inexpedient to legislate in the matter.

On motion of Mr. Coates,

The petitioners had leave to withdraw the foregoing petitions.

Mr. Noble, from the committee on the judiciary, to whom was referred the resolution of inquiry as to the expediency of so amending title twenty-one, chapter ninety-three of the revised statutes, as to confer authority upon justices of the peace to renew executions issued by them, reported adverse to any legislative action thereon:

Mr. Noble, from the same committee, to whom was referred the resolution of inquiry as to the expediency of bringing in a bill to provide for the taking of depositions of criminal causes in certain cases, reported that in the opinion of the committee, it was inexpedient to introduce such a bill.

Both of which reports were accepted, and the committee discharged from the further consideration of the subjects.

Mr. J. D. Pierce, from the committee on federal relations, to whom was referred the joint resolution relative to the leasing of mineral lands, by the United States, reported the same back with an amendment, and recommended its passage.

The report was accepted, and the joint resolution and amendment referred to the committee of the whole, and placed on the general order.

Mr. J. D. Pierce, from the committee on federal relations, to whom was referred the Senate joint resolution relative to salt spring lands, reported the same back accompanied with a substitute.

The report was accepted, the committee discharged from the further consideration of the subject, and joint resolution and substitute were referred to the committee of the whole, and placed on the general order.

The following communication was received from the Secretary of State :

DETROIT, *Jannary* 12, 1847.

*Hon. the Speaker of the House of Representatives :*

SIR—I herewith transmit to the House of Representatives the annual report of the Board of State Auditors.

Very respectfully,

Your obedient servant,

G. O. WHITEMORE,

*Secretary of State.*

On motion of Mr. Adam,

The report of the Board of State Auditors was referred to the committee on claims.

Mr. H. Mower, pursuant to previous notice, asked and obtained leave to introduce joint resolutions proposing amendments to the constitution of this state, which were read twice, when

Mr. Noble moved to refer them to the committee on state affairs, which motion was lost, and on his motion, they were laid on the table.

Mr. Price, pursuant to previous notice, asked and obtained leave to introduce a bill for the preservation of the Clinton and Kalamazoo Canal, which was read twice and referred to the committee on internal improvement.

Mr. H. Mower moved a suspension of rule twenty, to enable him to introduce a bill, previous notice not having been given, which motion prevailed, and leave being granted, he introduced a bill to give immediate force to section thirty-seven of chapter one hundred and sixty-four of title thirty-one of the revised statutes, which was read twice and referred to the committee of the whole.

Mr. Hebard gave notice that on some day he should ask leave to introduce a bill for the relief of Alvin N. Hart and James Taylor, securities on the purchase of certain primary school lands.

Mr. Price gave notice that on some future day he should ask leave to introduce a bill for the reduction of the price of primary school lands.

On motion of Mr. Davison,

The following resolution was taken from the table :

*Resolved*, That the Secretary of State be directed to furnish to the Clerk of the House, the Enrolling and Engrossing Clerk, the Sergeant-at-Arms, and the Reporters of the Free Press and Advertiser each, a copy of the new Revised Statutes, and the Session Laws, Journals and Documents of the last Legislature.

On motion of Mr. Davison,

The resolution was amended by inserting after 'Sergeant-at-Arms,' the words 'Assistant Librarian and Private Secretary of the Governor.'

On motion of Mr. Chubb,

The words 'Free Press and Advertiser' were stricken out, and 'in this House' inserted.

On motion of Mr. Britain,

The word 'to' after 'furnish' was stricken out and 'for the use of' inserted.

The question then being on the adoption of the resolution,  
It was not adopted.

Mr. McFarlan, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act to amend an act entitled an act to incorporate the Detroit and Grand River Plank Road Company, approved March 12, 1846, which was read twice and referred to the committee on banks and incorporations.

The House then resolved itself into committee of the whole on the general order, Mr. Glen in the chair.

After some time spent thereon, the committee rose, and by their chairman reported that they had had under consideration a bill to give immediate force to section thirty-seven of chapter one hundred and sixty-four of title thirty-one of the revised statutes, which they reported back without amendment, and it was ordered to be engrossed for a third reading.

The committee of the whole also reported that they had had under consideration, a joint resolution relative to certain salt spring lands, to which they had made amendments, in which the concurrence of the House was asked.

The amendments were severally concurred in, and ordered to be engrossed, and the joint resolution, as amended, ordered to be read the third time.

On motion of Mr. Adam,  
The House adjourned.

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*Thursday, January 14, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Kinne and Shook were absent without leave.

Mr. Goodell asked and obtained leave of absence for Mr. Shook for the day.

Mr. Van Duser for Mr. Kinne, for the same time.

The Journal of yesterday was read and approved.

Mr. Adam presented the petition of the common council of the vi-

lage of Adrian, to confirm the appointment of certain persons as firemen. Referred to the committee on state affairs.

Mr. Throop presented the claims of G. F. Rood & Co., against the state. Referred to the committee on claims.

The following communication was received :

STATE LAND OFFICE, }  
Marshall, January 4, 1847. }

*Hon. GEORGE W. PECK, Speaker House of Representatives:*

SIR—Herewith I transmit the annual report from this office, for the fiscal year ending Nov. 30, 1846.

I have the honor to be

Your obedient servant,

ABIEL SILVER,  
*Com'r. State Land Office.*

On motion of Mr. J. D. Pierce,

The report of the commissioner of the land office was referred to the committee on public lands.

The following communication was announced by the Speaker :

DETROIT. January 4, 1847.

*Hon. G. W. PECK, Speaker of the House of Representatives:*

SIR—Herewith, I transmit the annual report of the board of state auditors on land claims for the year 1846.

I am sir very respectfully yours,

ABIEL SILVER,  
*Chairman.*

The annual report of the board of state auditors was referred to the committee on claims.

On motion of Mr. Adam,

The following preamble and resolution were taken from the table :

*Whereas*, The circulating medium of this state, is altogether insufficient to answer the legitimate demands of the fair and regular business thereof, and to perform the necessary exchanges required in the prompt purchase of the great and rapidly increasing productions of our soil—our forests and fisheries—to develop the wealth of our mines, and to stimulate and encourage the just enterprise of the people;

*And whereas*, Unsound and fallacious theories of banking, adop-

ted in this state, have proved practically ruinous to bankers, and banefully pernicious to the whole people;

*And whereas,* Experience has shewn that a pure metallic currency in sufficient abundance to meet the wants of the people, in a country, though rich in natural resources, yet poor in accumulated wealth, is a consummation, however desirable, utterly impracticable;

*And whereas,* A very large proportion of the effective currency of the state, is of a depreciated character, not convertible into specie at home, having been issued by banking corporations of other and distant states and foreign provinces, and of doubtful and uncertain solvency. Whereby, and by reason of each of the above causes, the people of this state are subjected to heavy losses, as well upon the depreciated currency received in exchange for the products of their agricultural and other industry, as upon the inadequate price paid therefor, amounting to several hundred thousand dollars per annum.

*And whereas,* It is a solemn duty of government to provide for the people a sufficient as well as sound currency, so that industry may not be repressed, labor go unrewarded, enterprise discouraged, the people impoverished, nor the country hindered in its march of progressive improvement. Therefore,

*Resolved,* That the committee on banks and incorporations, be and they are hereby instructed, to devise and report to this House, some plan providing an adequate relief to the people of the state, from these onerous burdens, harrassing privations, and ruinous losses.

Mr. Adam offered the following substitute for the preamble and resolution :

*Whereas,* An adequate supply of specie, which furnishes the only sound and safe basis for a paper circulation, can be obtained alone from accumulated capital, the result of personal industry and economy;

*And whereas,* The unsound and fallacious theories of banking, still so prevalent, apparently amongst a large portion of the people, or at all events so industriously propagated throughout this and other states, by bankers and their friends, have proved practically ruinous, and banefully pernicious to the whole people;

*And whereas,* Experience in other countries has shown that a pure metallic currency for all common retail transactions, and for a common



circulating medium amongst the people, is the only safe one, and is alike desirable and practicable;

*And whereas,* A depreciated paper currency, if permitted to be circulated at all, will always take the place of the legitimate, and in this country, the only constitutional currency of the people, because it is for the interest of every person making payments, to pay out that which has the least value, or in keeping which he runs the most risk of loss ;

*And whereas,* The constitution of the United States prohibits the several states from coining money, or issuing bills of credit, and it may perhaps be considered well questioned by some, whether a state government can legitimately authorize others to do that which she herself is expressly prohibited from doing;

*And whereas,* It is, at all events, no more within the province of a state government to furnish money to buy wheat or other products of industry, than it is to furnish wheat to buy money ;

*And whereas,* If any paper circulation authorized by any act of a state legislature, is convertible into specie, as all will admit it ought to be, the specie for that purpose must be in the vaults of the bank issuing it ; and if so, the sad and dear-bought experience of the people of this state has shown that it would be much safer to have it in their own pockets, than to trust to its being in the vaults of a bank, when they may want it ; Therefore,

*Resolved,* That the committee on banks and incorporations be instructed to inquire into the expediency of prohibiting the issue of all small bills, and the circulation of all bills not convertible into specie within the state, of providing further security for the issues of the banks now in existence in this state, and of proposing an amendment to the constitution, which shall prohibit the creation of any more banks authorized to issue paper intended for a circulating medium.

Pending the question on which,

Mr. Upton moved to amend the fourth line of the third subdivision of the original preamble and resolution by striking out therefrom the words "a consummation however," and also the words "utterly impracticable."

Mr. Goodrich moved to lay the whole subject on the table, which motion was lost.

And the question recurring upon Mr. Upton's motion, it prevailed.

On motion of Mr. Turner,

The word "ruinous" in the second line of the second subdivision was stricken out, and "beneficial" inserted.

The question then recurring on the adoption of the substitute, after some discussion,

On motion of Mr. Goodrich,

The whole subject was indefinitely postponed.

On motion of Mr. Adam,

*Resolved*, That the committee on federal relations be requested to inquire into and report to the House the amount of land to which this state would be entitled from the general government to put her on an equal footing with the other new western States, the amount received by the general government from the sale of lands within this State, the probable amount paid into the treasury of the United States by the people of this State, derived from duties on imported goods,—and the probable amount reimbursed to or re-expended in this State, by the grant of the five per cent. fund, improvement of harbors, or repaid to citizens of this State as officers of the general government, or otherwise.

Mr. Pond gave notice that on some future day he should ask leave to introduce a bill to legalize the acts of the supervisor of the township of Vienna, in the county of Genesee, in assessing the property and levying the taxes in the township of Pewanogowink, and to authorize the treasurer of the said township of Vienna to collect said taxes, and to extend the time for collecting the same.

The Speaker announced that Mr. Britain was appointed chairman of the standing committee on state prison, in place of Mr. Johnson, who was excused from serving on said committee.

Mr. Price, from the committee on engrossment and enrollment, reported the bill to give immediate force to section thirty-seven of chapter one-hundred and sixty-four, of title 31 of the revised statutes, and the House amendments to the Senate joint resolution relative to certain salt spring lands, as correctly engrossed, and the bill and joint resolution were severally read the third time and passed.

On motion of Mr. J. D. Pierce,

The House adjourned.

*Friday, January 15, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Goodrich, Kinne, Seeley and Walker were absent without leave.

The journal of yesterday was read and approved.

Mr. Davison asked and obtained leave of absence for Mr. Seeley for an indefinite period.

Mr. Britain for Mr. Walker, for an indefinite time.

**PETITIONS PRESENTED.**

By Mr. H. Mower. Of James Taylor, and other citizens of Kalamazoo county, for the repeal of the charter of the Kalamazoo Mutual Insurance Company. Referred to the committee on banks and incorporations.

By Mr. Chubb. Of the supervisors of the county of Washtenaw for some legislative action to remedy existing evils growing out of the present law in relation to appeals from the board of supervisors. Referred to the committee on the judiciary.

Mr. Hebard, from the committee on roads and bridges, reported a bill authorizing an alteration in the Chicago road, which was read twice and referred to the committee of the whole.

The following message was received from the Executive:

EXECUTIVE OFFICE,  
*Detroit, January 13, 1847.* }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, a "joint resolution in relation to the printing of bills."

ALPHEUS FELCH.

The Speaker announced the reception of the following communication.

BOARD OF TRUSTEES STATE ASSETS, }  
*Detroit, January 4, 1847.* }

*Hon. G. W. PECK, Speaker of the House of Representatives:*

SIR—The annual report of the Board of Trustees of State Assets, for the year 1846, is herewith transmitted.

Very respectfully,

D. V. BELL,  
*Chairman.*

On motion of Mr. Adam,

The report of the Board Trustees of State Assets was referred to the committee on ways and means.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, January 14, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit ‘preamble and joint resolutions on the existing war with Mexico,’ which the Senate have adopted and in which the concurrence of the House is respectfully asked.

Also to return the “bill to provide for the payment of members and officers of the Legislature,” which the Senate have passed with amendments in which the concurrence of the house is respectfully asked.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The preamble and joint resolutions on the existing war with Mexico were read twice and referred to the committee on federal relations.

The Senate amendments to the bill to provide for the payment of members and officers of the legislature were concurred in, and the bill ordered to be enrolled.

Mr. Coates gave notice that on some future day he should ask leave to introduce a bill for the relief of the town of Manlius, in said county.

On motion of Mr. Deming,

Leave was granted to withdraw the petition of citizens of the township of Dover for a law legalizing a certain assessment in said township.

On motion of Mr. H. W. Taylor,

The proposed amendments to the constitution of this state, submitted by him, were taken from the table and referred to the committee on state affairs.

Mr. Harris, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize the supervisors of the county of Kent to construct a canal around the Rapids of Grand River at Grand Ra-

pids, which was read twice and referred to the committee on internal improvement.

On motion of Mr. H. Mower,

The joint resolutions proposing certain amendments to the constitution of this state, introduced by him, were ordered to be printed.

On motion of Mr. Driggs,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of amending the assessment laws, so that no person or persons shall be assessed on personal property on the amount of his or their indebtedness.

Mr. Fralick gave notice that on some future day he should ask leave to introduce a bill to amend section one of chapter fourteen of the act to provide for organizing an active militia and for other purposes, approved May 18, 1846.

Mr. Coates gave notice that on some future day he should ask leave to introduce a bill to authorize the minor heirs of Martha Town, deceased, to release their claims to a certain tract of land.

Mr. Kilborn gave notice that on some future day he should ask leave to introduce a joint resolution requiring the acting commissioner of internal improvement to order the expenditure of the unexpended balance of an appropriation for the improvement of the Detroit and Grand River road.

The House then resolved itself into committee of the whole on the general order, Mr. Johnson in the chair,

And after some time spent thereon, the committee rose and by their chairman reported that they had had under consideration, a joint resolution relative to the leasing of mineral lands by the United States, and a bill to authorize the issue of new bonds for the outstanding part paid bonds of this state, to which they had made amendments, in which the concurrence of the House was asked.

The amendment to the joint resolution was concurred in by the House, and

On motion of Mr. Adam,

It was further amended by striking out of the seventh line of the preamble the words "by joint resolution, approved April 13, 1846," and inserting "have," and by striking out of the eighth line the words,

"of the United States," where it first occurs, and inserting "afore-said."

On motion of Mr. J. D. Pierce,

The joint resolutions were laid on the table.

The amendment made by the committee of the whole to the bill to authorize the issue of new bonds for the outstanding part-paid bonds of this state, was concurred in.

Mr. Britain moved to amend by striking out of the eleventh line of section one, the words "sixty-three," and inserting "seventy," which motion was lost, and the bill ordered to be engrossed for a third reading.

The following message was received from the Senate:

SENATE CHAMBER, }  
Detroit, January 15, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit "joint resolutions concerning the militia," and "joint resolutions relative to the general post office regulations," which the Senate have adopted, and in which the concurrence of the House is respectfully asked.

Your ob't serv't,

JAS. E. PLATT,

*Sec. Senate.*

The joint resolutions concerning the militia were read twice and referred to the committee on the militia.

The joint resolutions relative to the general post office regulations, were read twice and referred to the committee on federal relations.

Mr. Price, from the committee on engrossment and enrolment, reported that the bill providing for the payment of members and officers of the legislature, was correctly enrolled, and was this day presented to the Governor for his approval.

On motion of Mr. Eaton,

The House adjourned.

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*Saturday, January 16, 1847.*

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Seeley and Walker were absent on

leave, and Messrs. Clark, Darrah, Ferrington, McFarlan, H. Mower and Noble, were absent without leave.

Mr. Throop asked and obtained leave of absence for Mr. Ferrington for the day. !

Mr. Lomis for Mr. Clark, for an indefinite period.

Mr. Haydon for Mr. H. Mower, until Wednesday morning.

Mr. Arzeno for Messrs. Noble and Darrah for the day.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Throop. Of inhabitants of the village of Truago, in Wayne county, for a change of the name of said village to Trenton. Referred to the committee on banks and incorporations.

By Mr. Bell. Six petitions of citizens of Ionia county, for an alteration of the present tax laws, so as to do away with the returning of non-resident lands delinquent for taxes to the office of the auditor general. Referred to the committee on state affairs.

Mr. Glen, from the committee on public lands, reported back the petitions of citizens of Grand River Valley, for an appropriation of lands for the construction of a canal around the rapids of Grand River, and asked to be discharged from the further consideration thereof.

The committee were discharged, and

On motion of Mr. Bell,

The petitions were referred to the committee on internal improvement.

Mr. Adam, from the committee on ways and means, reported a bill to provide for funding the outstanding internal improvement fund warrants of this state, which was read twice and referred to the committee of the whole.

The following message was received from the Executive :

EXECUTIVE OFFICE, }  
Detroit, January 15, 1847. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State, "an act to provide for the payment of members and officers of the legislature."

ALPHEUS FELCH.

On motion of Mr. H. W. Taylor,

the United States, were taken from the table, and ordered to be engrossed and read the third time.

Mr. Price, from the committee on engrossment and enrollment, reported the joint resolutions as correctly engrossed, and they were read the third time and passed.

On motion of Mr. D. Pierce,

The House adjourned.

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*Monday, January 18, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Clark, H. Mower, Seeley and Walker were absent on leave, and Messrs. Chubb, Darrah, Eaton, Edmunds, Fralick, Goodwin, McFarlan, Noble, D. Pierce, Price and Seymour were absent without leave.

Mr. Arzeno asked and obtained leave of absence for Messrs. Darrah and Noble for the day.

Mr. Davison for Messrs. Eaton and Price, for the day.

Mr. Renwick for Mr. Edmunds, until Wednesday.

Mr. Truesdell for Mr. Chubb, for the same time.

Mr. Jennings for Mr. D. Pierce, for an indefinite period.

The journal of Saturday was read and approved.

PETITIONS PRESENTED.

By Mr. C. H. Taylor. Of Dennis McMan, a settler on state salt spring lands, for relief. Referred to the committee on public lands.

By Mr. H. W. Taylor. Of F. A. Marsh, and others, to divide the township of Ada, Kent county. Referred to the committee on the organization of townships and counties.

By Mr. Barker. The remonstrance of Michael R. Keegon, and eighty-one others, of Bertrand, against adding a part of said township to the township of Niles. Same reference.

By Mr. Throop. The petition of the collectors of state and county taxes in the six wards of the city of Detroit, for an extension of the time for the collection of said taxes until the first day of March. Referred to the committee on ways and means.



## REPORTS.

Mr. J. D. Pierce, from the committee on federal relations, to whom was referred the Senate preamble and joint resolutions on the existing war with Mexico, reported the same back with sundry amendments, which report was accepted and the resolutions and amendments were referred to the committee of the whole, and the amendments ordered to be printed.

Mr. Glen, from the committee on militia, to whom was referred the Senate joint resolutions concerning the militia, reported the same back without amendment and recommended their passage.

The report was accepted, and the committee discharged from the further consideration of the joint resolutions, and they were referred to the committee of the whole.

Mr. Johnson, from the committee on banks and incorporations, to whom was referred the bill to amend an act entitled an act to incorporate the Pontiac and Genesee Railroad Company, reported the same back with an amendment, which report was accepted, and the bill and amendment referred to the committee of the whole.

The following message was received from the Senate:

SENATE CHAMBER,  
Detroit, January 18, 1847. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to return the bill to give immediate force to section 37 of chapter 164 of title 31, of the revised statutes," which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked.

Also, to transmit a "joint resolution authorizing the board of internal improvement to settle with the Superintendent and Collectors of the Southern Railroad, and for other purposes," which the Senate have adopted; and a "bill to authorize the assessment and collection of certain taxes in the township of Woodhull, in the county of Shiawassee," which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The Senate amendments to the "bill to give immediate force to

section thirty-seven of chapter one hundred and sixty-four, of title thirty-one of the revised statutes, were concurred in, and the bill as amended was ordered to be enrolled.

The Senate joint resolution authorizing the board of internal improvement to settle with the Superintendent and Collectors of the Southern Railroad and for other purposes, was read twice and referred to the committee on internal improvement.

The Senate bill to authorize the assessment and collection of certain taxes in the township of Woodhull, in the county of Shiawassee, was read twice and referred to the committee on ways and means.

Mr. Turner, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize an assessment upon the estate of Joseph Bailey, deceased, which was read twice and referred to the committee of the whole.

Mr. Jones gave notice that on some future day he should ask leave to introduce a bill to amend the act incorporating the village of Jackson.

Mr. Kelsey gave notice that on some future day he should ask leave to introduce a bill to amend section one hundred and two of chapter twenty, title five of the revised statutes of 1846, so as to provide for the redemption of state tax lands, on the same footing with those of sales to individuals.

Mr. J. D. Pierce gave notice that on some future day he should ask leave to introduce a bill for extending the time for the collection of the taxes in the township of Marshall.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, January 18, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit a “bill to incorporate the Port Huron and Lake Michigan Railroad Company,” which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Your obedient servant,

JA'S. E. PLATT,  
Sec'y. of Senate.

The bill to incorporate the Port Huron and Lake Michigan Railroad Company, was read twice, when

Mr. Goodrich moved to suspend the thirty-sixth rule, that the bill might go to the committee of the whole.

Which motion was lost, and the bill referred to the committee on banks and incorporations.

The House then resolved itself into committee of the whole, on the general order, Mr. Throop in the chair.

And after some time the committee rose and reported that they had had under consideration a joint resolution concerning the militia, and a bill to provide for funding the outstanding internal improvement fund warrants of this state, to which they had made amendments, in which the concurrence of the House was asked, and a bill to authorize an assessment upon the estate of Joseph Bailey, deceased, to which they had made no amendment, and the bill was ordered to be engrossed and read the third time. †

The amendment to the joint resolution concerning the militia was concurred in, the amendment ordered engrossed, and the joint resolution ordered to a third reading.

The amendment made to the bill to provide for funding the outstanding internal improvement fund warrants of this state, was concurred in, and

On motion of Mr. Adam,

It was further amended by inserting after the word "time," in the first line of section five, the words "after the issuing thereof."

The bill was then ordered to be engrossed and read the third time.

Mr. Makley, from the committee on engrossment and enrolment, reported that the bill to give immediate force to section thirty-seven, of chapter one hundred and sixty-four, of the revised statutes, was correctly enrolled, and that it was this day presented to the governor for his approval.

Mr. Goodwin, from the committee on elections, submitted a report on the subject of the contested seat in this House, from the Chippewa District, which was read, accepted, and the committee discharged from the further consideration of the subject.

On motion of Mr. Adam,

The report and accompanying documents were laid on the table, ordered to be printed, and the subject matter made the special order for Thursday next, and each succeeding day, until disposed of.

On motion of Mr. O'Malley, the House adjourned.

*Tuesday, January 19, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Chubb, Edmunds, H. Mower, D. Pierce, Seeley and Walker were absent on leave, and Mr. Van Duser was absent without leave.

Mr. Kinne asked and obtained leave of absence for Mr. Van Duser for an indefinite period.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Throop. Of G. Williams & Co., C. Howard & Co., E. P. Hastings & Co., and other citizens of Detroit, for the passage of a law to enable them to construct artificial docks and a marine railway at or near Detroit. Referred to the committee on banks and incorporations.

By Mr. Barker. Of C. S. Dunbar and others, for an appropriation of state lands for the construction of a plank road from New Buffalo south easterly, in the direction of Terre Coupee prairie. Referred to the committee on internal improvement.

By Mr. Britain. Of S. W. B. Chester, and others, for the holding of the probate court of Berrien county at the village of Niles in said county. Referred to the committee on the judiciary.

Mr. Adam, from the committee on ways and means, to whom was referred the Senate bill to authorize the assessment and collection of certain taxes in the township of Woodhull, in the county of Shiawassee, reported the same back with amendments.

The amendments were concurred in, ordered to be engrossed, and the bill ordered to a third reading.

Mr. J. D. Pierce, from the committee on federal relations, reported back the Senate joint resolutions relative to the general post office regulations, and reported adverse to their passage; and

On motion of Mr. Britain,

The joint resolutions were laid on the table.

Mr. J. D. Pierce, from the same committee, reported back without amendment, the joint memorial of the Senate and House of Representatives of the state of Michigan to the Congress of the United

States relative to the land claims at St. Marie's, in the county of Chippewa, and recommended its adoption, and it was ordered to be engrossed for a third reading.

Mr. Johnson, from the committee on banks and incorporations, made the following report, which was accepted :

The committee on banks and incorporations to whom was referred "a bill to provide for the construction of a ship canal around the falls of St. Marie," have had the same under consideration and have instructed me as their chairman to report:

That they have not examined into the detailed provisions of said bill, and therefore do not report either favorably or unfavorably to the same, and desire that they may not be required so to do, until further instructed from this House.

In view of the national character of said work, its importance to the people of the United States as well as to the people of this state, the duty of the general government to do what is proposed by this bill to be done under the sanction of the Legislature of this State, and thereby securing to the commercial interest and to the people generally the free and unrestricted navigation of our great inland seas for all coming time, on the one hand, and the improbability of the immediate undertaking of that work by the general government, its heretofore apparent reluctance in doing any thing to improve the navigation of the lakes—the pressing necessity of its completion under some authority on the other hand, present in the opinion of your committee a question of great importance to the people of this state.

And your committee beg to be instructed by this House whether under the existing state of things it be politic for this state to incorporate a company for the construction of said work.

And to obtain an expression of this House, preliminary to their action on any particular bill, they have instructed me, (without expressing their own opinion) to report the accompanying resolution:

All of which is respectfully submitted.

*Resolved*, That the committee on banks and incorporations, be and they are hereby instructed to report to this House, with all convenient speed, a bill to incorporate a company for the construction of a ship canal around the Falls of St. Marie.

On motion of Mr. Adam,

The resolution was referred to the committee of the whole, and placed on the general order.

The following communication was received from the Secretary of State :

SECRETARY OF STATE'S OFFICE, }  
January 19, 1847. }

*Hon. the Speaker of the House of Representatives :*

SIR :—I herewith transmit to the House of Representatives the annual report of the superintendents of the poor of the several counties of this state for the year 1846.

Very respectfully,

Your obedient servant,

G. O. WHITEMORE,  
*Secretary of State.*

On motion of Mr. Adam,

The annual report of the superintendents of the poor was referred to the committee on state affairs.

Mr. J. D. Pierce, pursuant to previous notice, asked and obtained leave to introduce a bill to extend the time for the collection of taxes in the township of Marshall, in the county of Calhoun, which was read twice, when

Mr. Throop moved to refer it to the committee on ways and means, which motion was lost, and the bill was referred to the committee of the whole and placed on the general order.

On motion of Mr. Goodell,

*Resolved*, That the committee on education be instructed to inquire whether any change in the primary school and state fund can be made so that each township treasurer may retain in his hands the amount of money apportioned to his township for the support of primary schools.

Mr. Pond, pursuant to previous notice, asked and obtained leave to introduce a bill legalizing the assessment of certain taxes in the county of Genesee, and for other purposes, which was read twice and referred to the committee on the judiciary.

Mr. Fralick, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act to provide for organizing an active militia, and for other purposes, approved May 18,

1846, which was read twice and referred to the committee on the militia.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to provide for funding the outstanding internal improvement fund warrants of this state ;

A bill to authorize an assessment upon estate of Joseph Bailey, deceased ;

A joint memorial of the Senate and House of Representatives of the state of Michigan to the Congress of the United States, relative to the land claims at St. Marie's, in the county of Chippewa ;

And the House amendments to the Senate bill to authorize the assessment and collection of certain taxes in the township of Woodhull, in the county of Shiawassee.

Which bills and joint memorial were severally read the third time and passed.

Mr. Price, from the above committee, also reported the House amendments to the Senate joint resolutions concerning the militia as correctly engrossed, and the joint resolutions were read the third time, when,

On motion of Mr. Throop,

Their further consideration was indefinitely postponed.

The House then resolved itself into committee of the whole on the general order, Mr. Eaton in the chair.

And after some time, the committee rose and reported that they had had under consideration the Senate preamble and joint resolutions on the existing war with Mexico, on which they had made some progress, and asked and obtained leave to sit again.

Mr. Knight moved an adjournment, which was lost, and

On motion of Mr. Turner,

The House adjourned until half past two o'clock.

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*Afternoon Session.*

*Half past 2 o'clock.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Chubb, H. Mower, D. Pierce, Seeley, Van Duser, and Walker were absent on leave, and Messrs. Davison,

Driggs, Goodwin, Harris, Noble, C. H. Taylor, Turner, and Upton, were absent without leave.

On motion of Mr. J. D. Pierce,

The committee of the whole were discharged from the further consideration of the bill to extend the time for the collection of taxes in the township of Marshall, in the county of Calhoun, and it was ordered to be engrossed for a third reading.

Mr. Price, from the committee on engrossment and enrollment, reported the bill as correctly engrossed.

On motion of Mr. Adam,

The twenty-first rule was suspended, and the bill read the third time and passed.

The following message was received from the Executive:

EXECUTIVE OFFICE,  
Detroit, January 19, 1847. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, "an act to give immediate force to section 37 of chapter 164 of the revised statutes."

ALPHEUS FELCH.

The following messages were received from the Senate:

SENATE CHAMBER,  
Detroit, January 18, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to respectfully inform you that the Senate have concurred in the House amendment to the "joint resolution relative to certain salt spring lands," and have ordered the same as amended to be enrolled.

Also, to transmit a "bill authorizing any persons to construct lines of the electric telegraph in the state of Michigan," which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

SENATE CHAMBER,  
Detroit, January 19, 1847. }

*To the Speaker of the House of Representatives:*

SIR :—I am instructed by the Senate to transmit a "bill to abolish



the office of acting commissioner of internal improvement, and for other purposes," which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Your obedient servant,

JAMES E. PLATT,

*Sec'y. of Senate.*

The Senate bill authorizing any persons to construct lines of the electric telegraph in the state of Michigan, was read twice and referred to the committee on the judiciary.

The Senate bill to abolish the office of acting commissioners of internal improvement and for other purposes, was read twice and referred to the committee on internal improvement.

The House then resolved itself into committee of the whole on the Senate preamble and joint resolutions on the existing war with Mexico, Mr. Eaton in the chair.

And after some time, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Jones, the House adjourned.

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*Wednesday, Jan. 20, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. H. Mower, D. Pierce and Van Duser were absent on leave, and Messrs. Britain, Harrington and Jones, were absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. C. H. Taylor. The claim of Lucretia Hathaway, administratrix on the estate of Nehemiah Hathaway, deceased, for services rendered the state of Michigan. Referred to the committee on claims.

By Mr. Brown. Of the board of supervisors of the county of Branch, for an alteration of the tax laws. Referred to the committee on ways and means.

By Mr. Coates. Of sundry persons for a change of the name of

the township of Watson in Allegan county. Referred to the committee on the organization of townships and counties.

Mr. Noble, from the committee on the judiciary, reported back with amendments, the Senate bill authorizing any persons to construct lines of electric Telegraph in the state of Michigan, and recommended its passage, and the bill was referred to the committee of the whole.

Mr. Noble, from the same committee, to whom was referred a resolution of inquiry into the expediency of providing by law that plaintiffs in attachment shall be entitled to recover expenses necessarily incurred in keeping and maintaining horses and other property held by authority of process issued by justices of the peace, and also a resolution of inquiry into the inexpediency of amending the assessment law, so that no person shall be assessed on personal property on the amount of his indebtedness, reported that in the opinion of the committee it is inexpedient to pass such laws.

The report was accepted, and the committee discharged from the further consideration of the subjects.

Mr. Adam, from the committee on ways and means, reported a bill to extend the time for the collection of certain taxes for the year 1846, in the city of Detroit, which was read twice and referred to the committee of the whole.

Mr. Goodwin gave notice that on to-morrow he should ask leave to introduce a joint resolution enlarging the duties of the joint committee on the state prison investigation.

On motion of Mr. Throop,

*Resolved*, That in all cases, when any documents, bills, reports, amendments &c., are printed under the rules, or by order of this House, the name of the member, or of the committee, introducing the same, shall also be printed with the same.

On motion of Mr. Driggs,

*Resolved*, That the committee on internal improvement be instructed to inquire into the expediency of bringing in a bill to appropriate a certain number of acres of internal improvement lands, not exceeding twenty thousand acres, for the purpose of improving the navigation of the St. Joseph River.

The House then resolved itself into committee of the whole on the

Senate preamble and joint resolutions on the existing war with Mexico, Mr. Eaton in the chair. And after some time, the committee rose, and by their chairman reported the preamble and joint resolutions back, with sundry amendments, in which the concurrence of the House was asked.

The question being on concurring in the amendments,

Mr. H. W. Taylor moved to amend the amendments by adding thereto the following,

Which motion was lost:

*Whereas*, the Congress of the United States, have assumed to exercise the power to admit new states, lying beyond the limits of the territory originally ceded by the king of Great Britain to the United States, granting to those foreign and alien states, which have no original claim under our constitution, all those extraordinary privileges, concessions and immunities which were by the constitution, gratuitously vested in and conferred upon the slave states, in derogation of the equal rights of the free states, and which were intended for such states as were parties to those original concessions only, and thus conferring upon these foreign and alien states an influence in our national councils, vastly greater than their relative population would justify, even if the constitutional right to admit such states were not denied by the purest men, and the most enlightened statesmen of our country, from President Jefferson down to the present time;

*And Whereas*, the admission of such states with a population scarce equal to that of a single representative district at the north, composed of men who from their birth and education, may be presumed to have imbibed principles hostile to our free institutions, and are nevertheless permitted in one branch of our national government, an influence sufficient to weigh down and neutralise the whole power of our largest and most populous states; and in the other branch to avail themselves of the representation of human slaves, thereby working a manifest and atrocious wrong and injury to the free states of this Union;

All which acts of injustice tend directly to diminish the affection of the people of these states for their own government, to produce discontent, to excite jealousies, to engender discord, and finally to precipitate the event which every patriotic citizen will most deeply

deplore and most anxiously guard against and avert, namely, a dissolution of our happy union; and a severance of these states into hostile communities each acting towards the other with the bitterest animosity;

*And whereas*, nothing but an express constitutional prohibition can now restrain Congress from the continued exercise of this arrogated power, to the imminent peril of our national integrity. Therefore,

*Resolved, By the Senate and House of Representatives of the state of Michigan, acting for the people thereof*, That the state of Michigan in conformity with the fifth article of the federal constitution, hereby makes application to the Congress of the United States for the call of a convention of the people thereof, to adopt the following amendments of the constitution aforesaid, namely:

Article I. No state shall hereafter be admitted to this Union which tolerates human slavery; nor which does not exclude such slavery within its borders by express prohibitions in its state constitution.

Article II. No state shall be admitted to this Union which did not at the periodical enumeration taken under the direction of the United States, next preceding the application for such admission, contain a population equal to the numbers required under the ratio for the time being, to entitle it to at least one member of the House of Representatives.

Article III. No state hereafter to be admitted to this Union shall be entitled to any senator in Congress until the population thereof shall equal one third of the average population of all the pre-existing states.

Article IV. No state hereafter to be admitted to this Union shall be entitled to two senators in Congress until the population thereof shall equal two thirds the average population of all the pre-existing states.

Article V. The word population as used in the four preceding articles, is defined to comprise all free native born citizens, all freedmen born in the United States, and all citizens naturalized by virtue of the general naturalization laws of the United States, and no others.

*Resolved*, That his Excellency the Governor be, and he is hereby, requested to transmit copies of this document to the Governors of

the other states of this Union, with the request that they will lay them before the legislatures thereof respectively, and to our Senators and Representatives in Congress.

Mr. Chubb moved to amend the first resolution in the reported amendments, which is in the following words :

*"Resolved, That the history of Mexico, as presented in the annual message of the President, is one of continued wrongs and abuses against the government and people of these United States,"*—by inserting before the word "presented," the word "falsely,"

Which motion was lost by the following vote :

## YEAS.

Mr. Chubb,

1

## NAYS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brooks,  
Brown,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,  
Glen,  
Goodell,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,

Mr. Miller,  
G. W. Moore,  
Noble,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Turner,  
Upton,  
Walker,  
Speaker,

61

On motion of Mr. J. D. Pierce,

The following was inserted after the first resolution in the amendment :

*"Resolved, That it is the part of wisdom, patriotism and humanity, to prosecute with vigor this war that has been thus forced upon us, as the only sure guaranty of a speedy and honorable peace."*

Mr. Throop moved to strike out the first resolution of the amendment, and insert the following :

*"Resolved, That the message of the Chief Magistrate of these Uni-*

ted States to the present Congress, is a triumphant vindication of our government in warring against Mexico, and clearly establishes the fact that the history of Mexico is one of continued wrongs and abuses against the government and people of these United States."

Pending which,

Mr. Chubb moved an adjournment, but the House refused to adjourn.

Mr. Britain moved that the House adjourn until half past two o'clock, P. M., which motion was lost.

The amendment offered by Mr. Throop to the amendment made in committee of the whole, was then adopted by the following vote :

#### YEAS.

Mr. Arzeno,  
Brown,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Fralick,  
Glen,  
Goodwin,

Mr. Goodyear,  
Harris,  
Hebard,  
Herrington,  
Jones,  
Kilborn,  
Makley,  
Marantette,  
McFarlan,  
McGraw,  
Miller,  
G. W. Moore,

Mr. Noble,  
O'Malley,  
Pond,  
Price,  
Seeley,  
Shaw,  
Shook,  
Throop,  
Turner,  
Upton,  
Walker,  
Speaker,

37

#### NAYS.

Mr. Adam,  
Barker,  
Bell,  
Britain,  
Brooks,  
Chubb,  
Clark,  
Edmunds,  
Faxon,

Mr. Ferrington,  
Goodell,  
Goodrich,  
Haydon,  
Hollister,  
Jennings,  
Johnson,  
Kelsey,  
Kinne,

Mr. Knight,  
Lomis,  
J. D. Pierce,  
Renwick,  
Seymour,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell,

26

The question then recurring on concurring in the amendments made in committee, as amended by the House, the first amendment, which strikes out of the seventh line of the first resolution the words "and independent ;" out of the ninth line, the word "more" before "just," and all of the resolution after the word "offence" in the ninth line, was concurred in.

The amendment striking out the second, third, fourth, fifth, sixth, seventh, eighth, and ninth resolutions, was concurred in.

The amendment, inserting the following to stand as the second resolution :

*“Resolved, That the message of the chief magistrate of the United States to the present congress, is a triumphant vindication of our government in warring against Mexico, and clearly establishes the fact that the history of Mexico is one of continued wrongs and abuses against the government and people of the United States,”* was concurred in by yeas and nays, as follows :

## YEAS.

Mr. Adam,	Mr. Goodrich,	Mr. Miller,
Arzeno,	Goodwin,	G. W. Moore,
Bell,	Goodyear,	Noble,
Britain,	Harris,	O'Malley,
Brown,	Hebard,	J. D. Pierce,
Coates,	Harrington,	Pond,
Culver,	Hollister,	Price,
Darrah,	Johnson,	Seeley,
Davison,	Jones,	Shaw,
Deming,	Kilborn,	Shook,
Driggs,	Kinne,	C. H. Taylor,
Dyckman,	Knight,	Throop,
Eaton,	Lomis,	Turner,
Ferrington,	Makley,	Upton,
Fralick,	Marantette,	Walker,
Glen,	McFarlan,	Speaker,
Goodell,	McGraw,	

50

## NAYS.

Mr. Barker,	Mr. Faxon,	Mr. Renwick,
Brooks,	Haydon,	Seymour,
Chubb,	Jennings,	H. W. Taylor,
Clark,	Kelsey,	Truesdell,
Edmunds,		

13

The amendment being under consideration which inserts the following to stand as the third resolution .

*“Resolved, That it is the part of wisdom, patriotism and humanity to prosecute with vigor this war that has been thus forced upon us, as the only sure guaranty of a speedy and honorable peace ;”*

On motion of Mr. Edmunds,

The words “that has been thus forced upon us,” were stricken out, and the amendment as amended, was then concurred in.

The amendment, inserting the following to stand as the fourth resolution, viz :

*“Resolved, That the gallant bearing and courage of our army, regular and volunteer, both officers and men, demand a nation’s grateful acknowledgements, they having shed undying lustre on the American name;”* was concurred in by a unanimous vote, as follows :

## YEAS.

Mr. Adam,	Mr. Glen,	Mr. McGraw,
Arzeno,	Goodell,	Miller,
Barker,	Goodrich,	G. W. Moore,
Bell,	Goodwin,	Noble,
Britain,	Goodyear,	O’Malley,
Brooks,	Harris,	J. D. Pierce,
Brown,	Haydon,	Pond,
Chubb,	Hebard,	Price,
Clark,	Harrington,	Renwick,
Coates,	Hollister,	Seeley,
Culver,	Jennings,	Seymour,
Darrah,	Johnson,	Shaw,
Davison,	Jones,	Shook,
Deming,	Kelsey,	C. H. Taylor,
Driggs,	Kilborn,	H. W. Taylor,
Dyckman,	Kinne,	Throop,
Eaton,	Knight,	Truesdell,
Edmunds,	Lomis,	Turner,
Faxon,	Makley,	Upton,
Ferrington,	Marantette,	Walker,
Fralick,	McFarlan,	Speaker, 63
	NAYS.	0

The last amendment made in committee, inserting the following as the fifth resolution, viz :

*“Resolved, That in the acquisition of any new territory, whether by purchase, conquest or otherwise, we deem it the duty of the general government to extend over the same the ordinance of 1787, with all its rights, privileges, conditions and immunities,”* was concurred in by a unanimous vote, as follows :

## YEAS.

Mr. Adam,	Mr. Glen,	Mr. McGraw,
Arzeno,	Goodell,	Miller,
Barker,	Goodrich,	G. W. Moore,
Bell,	Goodwin,	Noble,
Britain,	Goodyear,	O’Malley,
Brooks,	Harris,	J. D. Pierce,
Brown,	Haydon,	Pond,
Chubb,	Hebard,	Price,
Clark,	Herrington,	Renwick,



Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,

Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlin,

Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Turner,  
Upton,  
Walker,  
Speaker, 63

NAYS.

0

The preamble being under consideration,

Mr. H. W. Taylor moved to amend it by striking out therefrom the following clause:

"And whereas, the immediate cause of said war was the hostile invasion of American territory, and attack on the American forces stationed within said territory by an organized army of Mexico, acting under the orders of their government," which motion to strike out was lost by the following vote:

YEAS.

Mr. Barker,  
Brooks,  
Chubb,  
Edmunds,

Mr. Faxon,  
Haydon,  
Jennings,  
Kelsey,  
NAYS.

Mr. Renwick,  
Seymour,  
H. W. Taylor,  
Truesdell, 12

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Ferrington,  
Fralick,  
Glen,

Mr. Goodell,  
Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Hebard,  
Harrington,  
Hollister,  
Johnson,  
Jones,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,

Mr. McGraw,  
Miller,  
G. W. Moore,  
Noble,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,  
Turner,  
Upton,  
Walker,  
Speaker, 51

The amendments to the preamble and joint resolutions on the ex

isting war with Mexico, were then ordered to be engrossed, and the preamble and joint resolutions were ordered to be read the third time.

On motion of Mr. Goodwin,

The House adjourned.

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*Thursday, January 21, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Mr. Van Duser was absent on leave, and Messrs. Dyckman, Goodrich, Hebard, H. Mower, O'Malley, C. H. Taylor and Upton, were absent without leave.

Mr. Haydon asked and obtained leave of absence for Messrs. Dyckman and C. H. Taylor, for an indefinite time, on account of ill-health.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Goodyear. Of D. S. Bugbie, and two hundred and fifty-four other residents of Barry county, for the passage of a law exempting a homestead from sale on execution. Referred to the committee on state affairs.

By Mr. Fralick. The claim of G. F. Rood & Co. Referred to committee on claims.

By Mr. Harris. Of Louis Moran and his minor children, for relief. Referred to committee on the judiciary.

By Mr. Darrah. Of inhabitants of the township of La Salle, in Monroe county, for an extension of the time for the collection of taxes in said township. Referred to the committee on ways and means.

Mr. Harrington, from the committee on internal improvement, to whom was referred the Senate joint resolution authorizing the board of internal improvement to settle with the superintendent and collectors on the southern rail road, and for other purposes, reported the same back without amendment, and recommended its passage.

The report was accepted, and the joint resolution referred to the committee of the whole.

Mr. Harrington, from the same committee, also submitted the fol-

lowing report, which was accepted, and the committee discharged from the further consideration of the subject :

The committee of internal improvement have had the subjects contained in a resolution referred to them, in which they were requested to inquire into the nature and conditions of a certain lease executed by the commissioner of internal improvement to C. W. Chappel, and after making such investigation, the committee have instructed me as their chairman to report, as follows :

1. The lease above referred to is of the ordinary form of such instruments, granting to the lessee the right of taking a sufficient quantity of water from the Clinton and Kalamazoo Canal, at Ulica, to drive three run of stone in a flouring mill, for the term of twenty years from the first day of August, A. D. 1846, with the conditions that in case of low water, the lessee shall not have the right to draw off the water so as to interfere with the navigation of said canal ; and a further condition is contained, that if there should be a break, or other accident occur to said canal, so as to deprive the party leasing the use of the water, the state are not to be made liable for damages.

The consideration to be paid by the parties of the second part for the privilege of so using the water taken from said canal, is the sum of two hundred and thirty-six and 55-100ths dollars a year for the first ten years, to be paid annually ; and the further sum of three hundred and thirty-five dollars a year for the last ten years, one half semi-annually, excepting such times as the parties, of the second part shall be deprived of water from the before-mentioned causes, then, and in such cases, they are not to pay rent for the time so prevented from the use of said water.

2. The amount necessary to keep the canal in repair for the purpose of complying with the aforesaid lease, the committee have no means of ascertaining.

3. The amount of revenue heretofore received for tolls on said canal, as appears by the report of the commissioner of internal improvement, is forty-three and 42-100ths dollars.

4. There has been no amount paid on said lease by the parties of the second part, as there will no amount fall due by the terms of the lease until the first day of August, 1847.

5. There has no charge reached the office of internal improvement for any repairs made on said canal by the parties of the second part, as the committee are informed at that office.

Mr. Fralick, from the committee on claims, to whom was referred the petition of the board of supervisors of Oakland county, asking compensation for the performance of certain duties prescribed by law, and a petition of Daniel Mann, for relief, reported adverse to the prayer of said petitions, which report was accepted, and the committee discharged from the further consideration of the subjects.

Mr. Fralick, from the same committee, reported a joint resolution relative to a settlement of the claim of Charles L. Bird and Joseph A. Kent, and a joint resolution relative to a settlement of the claim of John M. Morrow, which was read twice and referred to the committee of the whole.

Mr. Knight gave notice that on some future day he should ask leave to introduce a bill to amend the "act to authorize the laying out and establishing a state road from Eaton Rapids to Bellevue, in the county of Eaton," approved March 6, 1844.

On motion of Mr. Throop,

The twentieth rule was suspended, to enable him to ask leave to introduce a bill, previous notice not having been given; and leave having been granted, he introduced a bill to amend the charter of the city of Detroit, as to time of making assessments, which was read twice and referred to the committee on banks and incorporations.

On motion of Mr. Goodrich,

The committee of the whole were discharged from the further consideration of the bill to amend an act entitled, an act to incorporate the Pontiac and Genesee Railroad Company, approved May 15, 1846, and,

On motion of Mr. Kelsey,

The bill was laid on the table.

Mr. Goodwin, pursuant to previous notice, asked and obtained leave to introduce a joint resolution of instructions to the joint committee on state prison, which was read twice and ordered to be engrossed for a third reading.

Mr. Price, from the committee on engrossment and enrollment, reported the joint resolution as correctly engrossed, and,

On motion of Mr. Adam,

The twenty-first rule was suspended and the joint resolution read the third time and passed.

On motion of Mr. Adam,

The committee on ways and means were discharged from the further consideration of the petition of the board of supervisors of Branch county, praying for an alteration of the tax laws, and the petition was referred to the committee on state affairs.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed, the House amendments to the Senate preamble and joint resolutions on the existing war with Mexico, and the preamble and joint resolutions were read the third time, when

Mr. Chubb moved to re-commit them to the committee on federal relations, with instructions to strike out all except the fourth and fifth resolutions.

Mr. Kelsey moved to amend the instructions by also excepting the seventh resolution, pending which,

Mr. Britain moved to lay the whole subject on the table, which motion was lost.

Mr. Turner moved the previous question, which was sustained, and the main question was ordered to be now put by the following vote:

#### YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Eaton,  
Ferrington,  
Fralick,  
Goodell,  
Goodrich,

Mr. Goodwin,  
Goodyear,  
Harris,  
Hebard,  
Harrington,  
Hollister,  
Johnson,  
Jones,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,

Mr. Miller,  
G. W. Moore,  
Noble,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Shaw,  
Shook,  
H. W. Taylor,  
Throop,  
Turner,  
Upton,  
Walker,  
Speaker. 48

#### NAYS.

Mr. Barker,  
Brooks,  
Chubb,  
Clark,

Mr. Edmunds,  
Faxon,  
Haydon,  
Jennings,

Mr. Kelsey,  
Renwick,  
Seymour,  
Truesdell, 12

Mr. H. W. Taylor moved a reconsideration of the last vote, which motion, under the twenty-seventh rule lies on the table one day.

On motion of Mr. Upton,

The twenty-seventh rule was suspended, and the question recurring on the motion to reconsider, it was lost.

The question then being on the motion to amend the instructions, it was decided in the negative, and the question recurring on the motion to recommit with instructions, when

Messrs. Edmunds, Renwick and D. Pierce were, by their own request, excused from voting on the pending questions.

The motion to recommit was then decided in the negative, and the main question, being on the passage of the resolutions, was then taken and before the result was announced,

Mr. Renwick being excused, and not having voted, asked to have his vote recorded, which was refused by the House, and it was then announced that the preamble and joint resolutions were passed by the following vote:

#### YEAS

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Britain,  
Brown,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Eaton,  
Ferrington,  
Fralick,  
Goodell,  
Goodrich,

Mr. Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Johnson,  
Jones,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,

Mr. McGraw,  
Miller,  
G. W. Moore,  
Noble,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Shaw,  
Shook,  
Throop,  
Turner,  
Upton,  
Walker,  
Speaker,

49

#### NAYS.

Mr. Brooks,  
Chubb,  
Clark,

Mr. Faxon,  
Jennings,  
Kelsey,

Mr. Seymour,  
H. W. Taylor,  
Truesdell,

9

The House having now arrived at the special order of the day, which special order was the consideration of the report of the committee on elections on the claim of Samuel W. Hill to a seat in this

House now occupied by Elisha G. Seymour, as Representative from the Chippewa district ;

On motion of Mr. Adam,

*Resolved*, That Samuel W. Hill, the contestant of the seat of Elisha G. Seymour, now holding a seat in this House, as member from the county of Chippewa, and the county attached thereto for representative purposes, be allowed to present his claim to a seat as the member from said representative district, personally or by counsel ; and that the sitting member be also entitled to appear before this House in regard to said contested election by counsel, if he shall so choose.

Under the foregoing resolution, Hon. Alfred H. Hanscom appeared as counsel for the contestant, and Hon. Jacob M. Howard as counsel for the sitting member, and places were forthwith assigned them within the bar of the House.

Mr. Goodwin offered the following resolution :

*Resolved*, That the seat now occupied by Elisha G. Seymour, as a member of this House from the district of Chippewa, rightfully belongs to Samuel W. Hill, and is hereby awarded to him.

The Speaker then stated that the counsel for the contestant would first open his case, then the counsel for the sitting member would be heard in reply, and the counsel for the contestant would close the argument, so far as counsel were concerned.

Mr. Hanscom thereupon rose and addressed the House, and after he had closed his remarks,

On motion of Mr. Goodwin,

The House adjourned until two o'clock P. M.

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*Afternoon Session—2 o'clock.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Dyckman, C. H. Taylor and Van Duser were absent on leave, and Messrs. Britain, Darrah, Haydon, Kilborn, H. Mower, Noble, O'Malley, J. D. Pierce, Upton and Walker were absent without leave.

Mr. Goodwin asked and obtained leave of absence for Mr. J. D. Pierce for an indefinite period.

Mr. Turner for Mr. Walker for an indefinite period.

Mr. Edmunds, for Mr. H. Mower, for an indefinite period.

The House then resumed the consideration of the special order, and Mr. Howard was heard in behalf of the sitting member, and after the close of his argument, Mr. Hanscom was heard in behalf of the contestant.

On motion of Mr. Goodwin,

The House adjourned.

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*Friday, January 22, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Dyckman, Van Duser, and Walker were absent on leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. J. D. Pierce. Of Harvey Sherman, relative to certain university lands. Referred to the committee on public lands.

By Mr. Jones. Of the school inspectors, and others, residing in Jackson county, relative to a teacher's institute. Referred to the committee on education.

By Mr. Britain. A petition and accompanying documents for the relief of Cyrus Dana and Rodney C. Paine, holders of contracts for state lands. Referred to the committee on the judiciary.

Mr. Johnson from the committee on banks and incorporations, reported back without amendment and recommended its passage, the bill to amend the charter of the city of Detroit, as to the time of making assessments, and it was ordered to be engrossed for a third reading.

Mr. Johnson from the same committee, reported back without amendment and recommended its passage, the Senate bill to incorporate the Port Huron and Lake Michigan railroad company, and it was referred to the committee of the whole and placed on the general order.

Mr. Goodwin, from the committee on state affairs, reported back



the report of the superintendents of the poor, and asked to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and

On motion of Mr. Goodwin,

The report of superintendents of the poor was laid on the table and ordered to be printed.

The following message was received from the Senate:

SENATE CHAMBER, }  
Detroit, January 21, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the “bill to extend the time for the collection of taxes in the township of Marshall in the county of Calhoun,” which the Senate have passed with an amendment, in which the concurrence of the House is respectfully asked.

Also to return the “joint resolution relative to the state library” and to respectfully inform you that the Senate have non-concurred therein.

Also, to return the “joint resolutions relative to the leasing of mineral lands by the United States,” and to respectfully inform you that the Senate have concurred therein.

Also, to return the “bill to authorize the assessment and collection of certain taxes in the township of Woodhull, in the county of Shiawassee” and to respectfully inform you that the Senate have non-concurred in the first amendment and concurred in the second amendment made thereto by the House.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The joint resolutions relative to the leasing of mineral lands by the United States, were ordered to be enrolled.

The Senate amendments to the bill to extend the time for the collection of taxes in the township of Marshall, in the county of Calhoun, were non concurred in, and

On motion of Mr. Goodwin,

A committee of conference was ordered to be appointed, on the part of the House, on the disagreement between two Houses on said

bill, and the appointment of a like committee asked on the part of the Senate.

The Speaker appointed as such committee Messrs. Goodwin, H. W. Taylor and J. D. Pierce.

The House then insisted on their first amendment to the bill to authorize the assessment and collection of certain taxes in the township of Woodhull, in the county of Shiawassee.

Mr. Adam offered the following resolution, which, after some discussion, was, on his motion, laid on the table :

*Resolved*, That the standing rules of the House be amended as follows : Add to rule eight, "nor more than twenty minutes on any one question, without leave of the House."

In rule twenty-eight, strike out all after "reconsideration" in the fourth line, to and including the word "reconsideration" in the sixth line.

Mr. Jennings offered the following resolution, which was,

On motion of Mr. Adam, laid on the table :

*Resolved*, That hereafter this House will hold two daily sessions ; the forenoon session commencing at nine o'clock A. M., and the afternoon session commencing at two o'clock P. M.

On motion of Mr. Haydon,

Leave was granted to Minor Y. Turrill to withdraw from the files of this House, the papers relating to his claims against the state.

On motion of Mr. Throop,

The committee of the whole were discharged from the further consideration of the bill to extend the time for collection of certain tax for the year 1846 in the city of Detroit, and it was ordered to be engrossed for a third reading.

Mr. Price from the committee on engrossment and enrolment, reported the bill as correctly engrossed, and it was read the third time and passed.

Mr. Price, from the same committee, also reported as correctly engrossed, the bill to amend the charter of the city of Detroit, as to the time of making assessments, and it was read the third time and passed by a two-thirds vote.

The House then took up, as unfinished business, the special order, and resumed the consideration of the following resolution :

*Resolved*, That the seat now occupied by Elisha G. Seymour, as a member of this House from the district of Chippewa, rightfully belongs to Samuel W. Hill, and is hereby awarded to him.

Mr. Upton offered the following substitute for the resolution, which was rejected :

*Resolved*, That the subject of right to a seat in this House, contested by the gentlemen from the representative district composed of the counties of Chippewa, Schoolcraft, Marquette, Houghton and Ontonagon, be referred back to the electors of that district.

Mr. Arzeno moved an adjournment, but the House refused to adjourn.

Mr. Turner offered the following substitute for the resolution, which was not adopted :

*Resolved*, That Samuel W. Hill is entitled to a seat in this House.

The question then recurring on the original resolution, it was lost by the following vote :

# YEAS.

Mr. Arzeno,  
Darrah,  
Driggs,

Mr. Goodwin,  
Johnson,

Mr. Jones,  
Price,

7

# NAYS.

Mr. Adam,  
Barker,  
Bell,  
Britain,  
Brooks,  
Brown,  
Chubb,  
Clark,  
Coates,  
Culver,  
Davison,  
Deming,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,  
Glen,  
Goodell,

Mr. Goodrich,  
Goodyear,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Kelsey,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,  
Miller,

Mr. G. W. Moore,  
H. Mower,  
Noble,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Turner,  
Upton,  
Speaker,

55

Mr. Turner offered the following resolution :

*Resolved*, That Elisha G. Seymour is entitled to a seat in this House.

Which resolution was adopted by the following vote :

## YEAS.

Mr. Adam,	Mr. Glen,	Mr. Miller,
Barker,	Goodrich,	G. W. Moore,
Bell,	Harris,	H. Mower,
Britain,	Haydon,	Noble,
Brooks,	Hebard,	O'Malley,
Brown,	Harrington,	D. Pierce,
Chubb,	Jennings,	J. D. Pierce,
Clark,	Johnson,	Pond,
Coates,	Jones,	Renwick,
Culver,	Kelsey,	Shaw,
Deming,	Kinne,	C. H. Taylor,
Edmunds,	Knight,	H. W. Taylor,
Faxon,	Makley,	Throop,
Ferrington,	Marantette,	Truesdell,
Fralick,	McFarlan,	Speaker, 45

## NAYS.

Mr. Arzeno,	Mr. Goodwin,	Mr. Price,
Darrah,	Goodyear,	Seeley,
Davison,	Hollister,	Shook,
Driggs,	Kilborn,	Turner,
Eaton,	Lomis,	Upton, 17
Goodell,	McGraw,	

The House adjourned.

*Saturday, January 23, 1846.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Dyckman, Van Duser and Walker, were absent on leave, and Messrs. Arzeno, Culver, Davison, Goodrich, Harrington, Hollister, Lomis, Makley, Noble, J. D. Pierce, Seymour and Truesdell were absent without leave.

Mr. Clark asked and obtained leave of absence for Mr. Davison, for an indefinite period.

Mr. Seeley, for Mr. Lomis, as above.

Mr. Brown, for Mr. Culver, as above.

Mr. Chubb, for Mr. Truesdell, as above.

**Mr. Hebard, for Mr. Makley, as above.**

**Mr. O'Malley, for Mr. Arzeno, until Wednesday.**

**Mr. Adam, for Mr. Harrington, for the day.**

**The journal of yesterday was read and approved.**

**PETITIONS PRESENTED.**

**By Mr. Price.** Of Isaac Monfore, and others, for a reduction of the price of university and school lands. Referred to the committee on public lands.

**By Mr. Throop.** Of Patrick Larkin, for the payment of a claim for work performed on the Central Railroad. Referred to the committee on claims.

**Also, of Wm. R. Hill, for payment for services rendered the state. Same reference.**

**By Mr. D. Pierce.** Of James Kelley, a contractor on the Central Railroad. Same reference.

**By Mr. H. Mower.** Of the township board of the township of Schoolcraft, in Kalamazoo county, for the passage of a law to enable said township to accept by vote, the bequest of Franklin Howard. Referred to the committee on the judiciary.

**Mr. O'Malley, from the committee on education, made the following report, which was accepted, and the committee discharged :**

**The committee on education, to whom was referred a resolution of inquiry, whether the present university fund would not be better applied to the support of good teachers in our common schools, report in opposition to the resolution, and are of opinion that it would be contravening the intention of the donors, as well as the laws of the United States, and the tenth article, section five of the constitution of the state of Michigan. And the committee wish to be discharged from any farther consideration of the same.**

**The following messages were received from the Senate :**

**SENATE CHAMBER,  
Detroit, January 21, 1847. }**

***To the Speaker of the House of Representatives :***

**SIR—**I am instructed to transmit a "bill to incorporate the Chipewa Portage Company," and a "bill to amend section 36, chapter 36 of the revised statutes of Michigan," which the Senate have pass-

ed, and in which the concurrence of the House is respectfully asked

Your obedient servant,

JAMES E. PLATT,

*Sec'y. of Senate.*

SENATE CHAMBER, }  
Detroit, January 22, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit a “joint resolution relative to printing the German translation of the Governor’s message,” which the Senate have adopted, and in which the concurrence of the House is respectfully asked.

Your obedient servant,

JA’S. E. PLATT,

*Sec'y. of Senate.*

The Senate joint resolution relative to printing the German translation of the Governor’s message was read twice and referred to the committee on printing.

The Senate bill to incorporate the Chippewa Portage company was read twice, and referred to the committee on banks and incorporations.

The Senate bill to amend section thirty-six, chapter thirty-six of the revised statutes of Michigan, was read twice and referred to the committee on the judiciary.

Mr. Barker offered the following resolution, which was,

On motion of Mr. Chubb,

Referred to the committee on claims:

*Resolved*, That Samuel W. Hill, the contestant for a seat in this House, in the place of Elisha G. Seymour, be paid his mileage and per diem allowance from the commencement of the session up to the time of the determination of the question by the House, and that a certificate therefor be signed by the Speaker of the House.

Mr. Renwick gave notice that on some future day he should ask leave to introduce a bill to extend the jurisdiction of justices of the peace.

On motion of Mr. Hollister,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of so amending section ninety-nine, chap-

ter one hundred and two of the new revised statutes, as to exclude interested witnesses from giving evidence in any suit except by the consent or request of the opposing party; and also to exclude witnesses convicted of high crimes, as aforesaid; also to amend section three of the same chapter, so that depositions to be used in courts of record may be taken by any judicial officer, as well as the officer issuing the order; and also, to provide for taking depositions of witnesses residing over thirty miles from the place of trial, to be used in courts held by justices of the peace.

On motion of Mr. Britain,

*Resolved*, That the committee on the organization of townships and counties be instructed to bring in a bill for the organization of townships in the county of Houghton, and the counties attached thereto.

The House then resolved itself into committee of the whole on the general order, Mr. Adam in the chair,

And after some time, the committee rose and by their chairman reported that they had had under consideration, a resolution of instructions to the committee on banks and incorporations, a joint resolution authorizing the board of internal improvement to settle with the superintendent and collectors on the Southern Railroad and for other purposes, a joint resolution relative to the settlement of the claim of Charles L. Bird and Joseph A. Kent, [and a joint resolution relative to the settlement of the claim of John M. Morrow, which they reported back without amendment, and a bill authorizing any persons to construct lines of electric telegraph in the state of Michigan to which they had made amendments, in which the concurrence of the House was asked.

The first amendment, striking out of the second line of the first section the words "and their successors," was concurred in, and the question being on concurring in the second amendment, which substituted a new section in the place of section three, the original section was amended,

On motion of Mr. H. W. Taylor,

By striking out the word "fifty," in the second line, and inserting "twenty-five;" and the amendment of the committee of the whole was then concurred in.

The amendments to the bill were ordered to be engrossed, and the bill ordered to a third reading.

The joint resolution relative to the settlement of the claim of John M. Morrow, and the joint resolution relative to the settlement of the claim of Charles L. Bird and Joseph A. Kent, were severally ordered to be engrossed for a third reading.

The joint resolution authorizing the board of internal improvement to settle with the superintendent and collectors on the Southern Railroad, and for other purposes, was,

On motion of Mr. Throop,

Laid on the table.

The resolution of instruction to the committee on banks and incorporations was then adopted.

The following messages were received from the Senate:

SENATE CHAMBER,  
Detroit, January 23, 1847. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to return the “joint resolution of instruction to the joint committee on state prison,” which the Senate have adopted with an amendment, in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

SENATE CHAMBER,  
Detroit, January 23, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to respectfully inform you that the Senate insist upon their non-concurrence in the first House amendment to the “bill to authorize the assessment and collection of certain taxes in the township of Woodhull, in the county of Shiawassee,” which is herewith returned, and that Senators Parsons, Fenton and Danforth have been appointed a committee of conference on the part of the Senate upon the disagreement between the two Houses, and that the appointment of a like committee on the part of the House is respectfully requested.

Also to inform you that the Senate insist upon their amendment to



the "bill to extend the time for the collection of taxes in the township of Marshall, in the county of Calhoun," and that Senators Balch McReynolds, and Maynard have been appointed, a committee of conference on the part of the Senate, on the disagreement between the two Houses on said bill.

Your ob't serv't,

JAS. E. PLATT,

*Sec. Senate.*

The Senate amendments to the joint resolution of instruction to the joint committee on state prison, were concurred in by the House, and the joint resolution as amended, ordered to be enrolled.

On motion of Mr. Adam,

A committee of conference was ordered to be appointed on the part of the House on the disagreement between the two houses on the bill to authorize the assessment and collection of certain taxes in the township of Woodhull, in the county of Shiawassee, and the Speaker appointed as such committee Messrs. Adam, Kelsey and Upton.

Mr. Adam moved a reconsideration of the vote by which the House adopted the resolution of instructions to the committee on banks and incorporations, which motion, under rule twenty-seven, lies on the table one day.

Mr. Johnson moved a suspension of the rule, which did not prevail, so the motion lies over.

The Speaker presented the petition of the Trustees of the Milwaukee Library Association, for a grant of the public documents of the late territory of Michigan. Referred to the committee on the state library.

On motion of Mr. G. W. Moore,

The House adjourned.

*Monday, January 25, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Arzeno, Culver, Davison, Dyckman, Lomis, Makley, Truesdell, Van Duser and Walker were absent on leave, and Messrs. Harrington, Johnson, McFarlan and J. D. Pierce, were absent without leave.

Mr. Goodwin asked and obtained leave of absence for Mr. J. D. Pierce, for an indefinite period, on account of sickness.

Mr. H. Mower, for Mr. Johnson, for the day, on account of sickness.

The journal of Saturday was read and corrected.

#### PETITIONS PRESENTED.

By Mr. Britain. Of Job Brookfield, Nathaniel Bacon and one hundred and ninety-seven others, for permission to build a dam across the St. Joseph river in the township of Niles, Berrien county. Referred to the committee on internal improvement.

By Mr. Clark. Of Henry Knight, for a reduction in the price of university lands in Oakland county. Referred to the committee on public lands.

By Mr. Goodyear. Of the board of supervisors of Barry county, for the passage of a law authorizing the reassessment of taxes for the years 1843 and 1844, in the township of Irving, in said county. Referred to the committee on ways and means.

By Mr. McFarlan. Of Jesse Myers, for a reduction in the price of the university lands. Referred to the committee on public lands.

Also, the claim of John Blindbury, supervisor of the township of Greenfield, for compensation for services performed under the session laws of 1844. Referred to the committee on claims.

#### REPORTS.

Mr. Noble, from the committee on the judiciary, reported back the Senate bill to amend section thirty-six, chapter thirty-six, of the revised statutes of Michigan, asked to be discharged from its further consideration, and recommended that it be referred to the committee on education.

The report was accepted, the committee discharged, and the bill referred to the committee on education.

Mr. Noble, from the same committee, to whom was referred the petition of S. W. B. Chester and others, for the holding of the probate courts of Berrien county at the village of Niles, reported that in the opinion of the committee, any change in the place of holding the said court, would be inexpedient.

The report was accepted and the committee discharged from the further consideration of the subject.

Mr. Noble, from the same committee, made the following report:

The committee on the judiciary to whom was referred the petition of the supervisors of the county of Genesee, praying for the passage of an act authorizing the supervisor of the township of Vienna to extend the assessment roll of the township of Pewonogawink in order to have the taxes legally collected, report:

That by an act of the legislature, approved March 25, 1846, that a provision was made for the separate organization of township nine, north of range five, east (forming and constituting a part of the town of Vienna) into a separate township by the name of Pewonogawink, and that the first township meeting should be held at the house of James Ferguson, in said town, and by another act of the legislature, approved March 25, 1846, the place of holding said township meeting was changed to the house of George Wilcox in said township, and by another act of the legislature, approved May 11, 1846, the time for making out the assessment roll for the year 1846, was extended to the first Monday in June last, and the time for assessing the highway labor therein was extended to the first day of July last, and by an act of the legislature, approved May 15th, 1846, it was provided that the first township meeting might be held in said township at the house of George Wilcox, on the first Tuesday of May (then) next, and that the election of officers and the transaction of such other business on said day should be as valid and legal as if the same had been elected and transacted on the day required by existing laws. It appearing that notwithstanding these various acts fully enabling the inhabitants to organize the new township of Penwanagawink, yet it in fact appears from the petition that no meeting of said inhabitants was ever held, and that no organization of said township has ever taken place, and it appears clear to the committee, that the territory thus contemplated by the above acts to be set off into a new

township, still remains and constitutes a part of the original township of Vienna. The inhabitants of the new township have done nothing to carry into effect the grant of corporate powers, and until an organization takes place under and by the authority of law, none of the corporate powers can be exercised, and the inhabitants can claim none of the immunities or privileges of the grant, nor can there on the other hand be any of the penalties of a corporate existence enforced against them. The act authorizing the organization of this new township, stands as a naked power, in no way affecting the inhabitants until they shall themselves give it vitality, by due organization under provisions of law.

Your committee are of opinion that the assessment roll of the original township of Vienna, having been extended over that portion which constitutes the contemplated new township, is valid, and that no legislation is necessary to legalize the tax.

The report was accepted, the committee discharged, and

On motion of Mr. Noble,

The petition was referred to the committee on ways and means.

Mr. Noble from the same committee, to whom was referred the petition of the township board of the township of Schoolcraft, in Kalamazoo county, for the passage of a law to enable said township to accept by vote the bequest of Franklin Howard, reported the same back, asked to be discharged from its further consideration, and recommended that it be referred to the committee on education.

The report was accepted, the committee discharged, and the petition referred to the committee on education.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed, the House amendments to the Senate bill authorizing any persons to construct lines of electric telegraph in the state of Michigan, the joint resolution relative to the settlement of the claim of Charles L. Bird and Joseph A. Kent, and the joint resolution relative to the settlement of the claim of John M. Morrow.

Mr. Goodwin, from the committee on state affairs, reported a bill to authorize the common council of the village of Adrian to confirm the appointment of certain firemen, which was read twice and referred to the committee of the whole.

Mr. Harrington, from the committee on internal improvement, made the following report :

The committee on internal improvement have had under their consideration the resolution referring to them so much of the Governor's message as relates to internal improvements, and after examining the same are of the opinion that that part of the message refers mainly to the financial condition of the state and should properly be referred to the committee on ways and means.

The report was accepted, the committee discharged, and the subject referred to the committee on ways and means.

Mr. Adam, from the committee of conference on the part of the House on the disagreement between the two Houses, on the bill to authorize the assessment and collection of certain taxes in the township of Woodhull, in the county of Shiawassee, reported that the committee had agreed to recommend to the House to insist on their first amendment with an amendment, inserting after the words "eighteen hundred and forty-six," the words "except the highway taxes."

The report was accepted, the amendment concurred in, and the amendment, as amended, insisted on.

On motion of Mr. McGraw,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of amending section eighteen, chapter one hundred and fifty, so as to allow some just compensation to persons summoned as talesmen to serve on juries.

On motion of Mr. Goodrich,

The following preamble and resolution was adopted :

*Whereas*, Numerous purchasers of school lands have at different times been compelled by causes beyond their control, to forfeit said school lands to the state ;

*And whereas*, The school fund of the state has enjoyed and still enjoys the use and benefit of the moneys paid in towards such forfeited school lands, without rendering any valuable compensation to the individual who paid in and forfeited the same ;

*And whereas*, It is contrary to the eternal principles of justice, and derogatory to the dignity of the state to build up and sustain a fund for any purpose however worthy, by the acquirement of such fund, in whole or in part, from the misfortune and losses of its private citizens, without making some compensation for such losses. Therefore

*Resolved*, That the committee on public lands be instructed to inquire into the expediency of bringing in a bill, the provisions of which shall enable the original purchasers of all such forfeited lands who have received no redress from the state, to repurchase the same in whole or in part, in case the same shall be still held by the state—and in cases where such lands have subsequently been sold by the state, to purchase such other school lands as the said purchasers may elect, being held subject to private entry—and that such purchasers be charged for the lands repurchased, the minimum price of school lands at the time being—and be allowed in payment for the same, such sums as they have heretofore forfeited to the state.

Mr. Miller gave notice that on some future day he should ask leave to introduce a bill to extend the time for the collection of taxes in the county of Saginaw.

Mr. Goodwin gave notice that on to-morrow he should ask leave to introduce a joint resolution fixing the day for the adjournment of the legislature.

Mr. Seeley gave notice that on some future day he should ask leave to introduce a bill to incorporate a company to build a plank or charcoal road from the city of Detroit to Birmingham, in Oakland county.

Mr. Kelsey, pursuant to previous notice, asked and obtained leave to introduce a bill to amend section one hundred and two, chapter twenty, title five of the revised statutes of 1846, which was read twice and referred to the committee of the whole.

The joint resolution relative to the settlement of the claim of John M. Morrow, and the joint resolution relative to the settlement of the claim of Charles L. Bird and Joseph A. Kent, were severally read the third time and passed.

The Senate bill authorizing any persons to construct lines of electric telegraph in the state of Michigan, was read the third time, when

Mr. Goodwin moved to recommit the bill to the committee on the judiciary, with instructions to report as to the legality of the levying specific taxes on property lying within several townships, which motion was lost, and the question recurring on the passage of the bill, it was passed.

The question then came up on the motion to reconsider the vote by

which the following resolution was adopted on Saturday. it was reconsidered:

*Resolved*, That the committee on banks and incorporations be and they are hereby instructed to report to this house, with all convenient speed a bill to incorporate a company for the construction of a ship canal around the falls of Ste. Marie.

On motion of Mr. Adam,

The resolution was amended, by inserting after "Resolved," the words "two thirds of this house concurring."

Mr. Goodrich moved to amend further, by adding to the resolution the following: "and that the committee on banks and incorporations be instructed to engraft in such bill a clause providing that in case Congress, at its present session shall appropriate lands for the construction of such canal, the charter shall be null and void;" pending which,

On motion of Mr. Jones, the whole subject was laid on the table.

The House then resolved itself into committee of the whole on the general order, Mr. H. W. Taylor in the chair, and after some time the committee rose, and by their chairman reported that they had had under consideration a bill to incorporate the Port Huron and Lake Michigan railroad company, on which they had made some progress. and asked and obtained leave to sit again.

On motion of Mr. Eaton,

The House adjourned.

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*Tuesday, January 26, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Arzeno, Davison, Dyckman, Lomis, Makley, J. D. Pierce, Truesdell and Walker were absent on leave and Messrs. Brown, Kinne and C. H. Taylor were absent without leave.

Mr. Harris asked and obtained leave of absence for Mr. C. H. Taylor for the day.

Mr. Culver for Mr. Brown for an indefinite period.

The journal of yesterday was read and approved -

Mr. McGraw presented the petition of O. D. Richardson, David Paddock, and eighty-two other resident owners of real estate in the village of Pontiac, for the repeal of their village charter. Referred to the committee on banks and incorporations.

Mr. Hebard, from the committee on roads and bridges, reported a bill to provide for the improvement of the state road leading from Byron, in the county of Shiawassee, to Lyons, in the county of Ionia, which was read twice and referred to the committee of the whole.

Mr. Harrington, from the committee on internal improvement, reported back without amendment, and recommended their passage, the bill to abolish the office of acting commissioner of internal improvement and for other purposes, and the bill to authorize the supervisors of the county of Kent to construct a canal around the rapids of Grand River at Grand Rapids, which bills were referred to the committee of the whole and placed on the general order.

Mr. Harrington, from the same committee reported back the bill to provide for the preservation of the Clinton and Kalamazoo canal, with a substitute therefor, and the bill and substitute were referred to the committee of the whole and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER, }  
Detroit, January 25, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the “bill to extend the time for the collection of certain taxes for the year 1846, in the city of Detroit,” which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The first Senate amendment to the bill to extend the time for the collection of certain taxes for the year 1846, in the city of Detroit, was concurred in, and the second amendment was nonconcurred in.

Mr. Goodwin, pursuant to previous notice, asked and obtained leave to introduce a joint resolution relative to the adjournment of the legislature, which was read twice, and



On motion of Mr. Adam,

Referred to the committee on state affairs.

Mr. Britain gave notice that on some future day he should ask leave to introduce a bill to improve the navigation of the St. Joseph river, and a bill relative to the election of representatives in Berrien county.

Mr. Coates, pursuant to previous notice, asked and obtained leave to introduce a bill for the relief of the township of Manlius, in Allegan county, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Miller, pursuant to previous notice, asked and obtained leave to introduce a bill to extend the time for the collection of certain taxes for the year 1846, in the county of Saginaw, which was read twice, referred to the committee of the whole and placed on the general order.

On motion of Mr. Turner,

The Senate joint resolution authorizing the board of internal improvement to settle with the superintendent and collectors on the Southern Railroad and for other purposes, was taken from the table.

Mr. Britain moved to refer the joint resolution to the committee on ways and means, with instructions to report the amount claimed, and the grounds or facts, on which the parties rest their claim, which motion was lost, and the joint resolution ordered to be read the third time.

Mr. Kilborn, pursuant to previous notice, asked and obtained leave to introduce a bill relative to an appropriation on the Detroit and Grand River road, which was read twice and referred to the committee on internal improvement.

Mr. Fralick gave notice that on some future day he should ask leave to bring in a bill to repeal an act to extend Fort street in the city of Detroit, until it intersects the road leading from the Detroit river to Dearbornville, approved March 22, 1837, and revived and extended March 19, 1845.

Mr. Noble offered the following resolution, which, after some discussion, was, on his motion, laid on the table :

*Resolved*, That the standing and select committees of this House be instructed to report to the House on or before the eighth day of February next, upon all matters to them respectively referred ; and

that no new business be introduced into this House subsequent to said date, either through standing committees, or by any member ; provided, that in case of petitions, the same shall be reported upon within twenty-four hours after reference to any committee.

Mr. Price, from the committee on engrossment and enrollment, reported that the joint resolutions of instructions to the joint committee on the state prison were correctly enrolled, and were this day presented to the Governor for his approval.

Mr. Goodwin from the committee on state affairs, by unanimous consent, reported back without amendment the joint resolution relative to the adjournment of the legislature, and the question being on ordering the same to be engrossed for a third reading, it prevailed by the following vote:

## YEAS.

Mr. Adam,  
Barker,  
Brooks,  
Chubb,  
Clark,  
Coates,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,  
Glenn,

Mr. Goodell,  
Goodwin,  
Goodyear,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Marantette,  
McFarlan,  
McGraw,

Mr. H. Mower,  
Noble,  
D. Pierce,  
Price,  
Renwick,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
H. W. Taylor,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Speaker.

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## NAYS.

Mr. Bell,  
Britain,  
Goodrich,

Mr. Harris,  
Miller,

Mr. G. W. Moore,  
Pond,

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The joint resolution authorizing the board of internal improvement to settle with the superintendent and collectors on the Southern railroad was read the third time and passed.

The House then resolved itself into committee of the whole on the bill to incorporate the Port Huron and Lake Michigan railroad company, Mr. H. W. Taylor in the chair, and after some time the committee rose, and by their chairman reported the bill back with sundry amendments, in which the concurrence of the House was asked.

All the amendments, except the last, were severally concurred in, and the last amendment being under consideration, which amendment is in the following words: "The legislature may at any time alter, amend or repeal this act by a vote of two thirds of each branch thereof, but such alteration, amendment or repeal shall not be made within thirty years after the passage of this act, unless it shall be made to appear to the legislature that there has been a violation by the company of some of the provisions thereof;" when

Mr. Noble moved to substitute therefor the following: "The legislature may at any time alter, modify, amend or repeal this act," which was lost by the following vote:

## YEAS

Mr. Britain,  
Coates,  
Culver,  
Deming,  
Eaton,  
Ferrington,  
Fralick,

Mr. Goodell,  
Goodwin,  
Goodyear,  
Haydon,  
Hollister,  
McFarlan,

Mr. McGraw,  
Noble,  
Price,  
Throop,  
Turner,  
Van Duser,

19

## NAYS.

Mr. Adam,  
Barker,  
Bell,  
Brooks,  
Chubb,  
Clark,  
Darrah,  
Driggs,  
Faxon,  
Goodrich,

Mr. Harris,  
Hebard,  
Harrington,  
Jennings,  
Kelsey,  
Kilborn,  
Knight,  
Miller,  
G. W. Moore,  
O'Malley,

Mr. D. Pierce,  
Pond,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
H. W. Taylor,  
Upton,  
Speaker,

29

The amendment reported by the committee was then concurred in by the House.

Mr. Britain moved to amend the fifth line of the twenty-first section by striking out therefrom the word "unnecessarily" which motion was lost.

The amendments to the bill were then ordered to be engrossed, and the bill ordered to a third reading.

On motion of Mr. Fralick,

The House adjourned.

*Wednesday, January 27, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Brown, Davison, Dyckman Makley, and Walker were absent on leave, and Messrs. Kinne and C. H. Taylor were absent without leave.

The journal of yesterday was read and approved.

**PETITIONS PRESENTED.**

By Mr. J. D. Pierce. Of Edward Bradley, George C. Gibbs. and others, asking for the repeal of that provision of the revised statutes, which prohibits county judges from practising as attorneys. Referred to the committee on the judiciary.

By Mr. Coates. Of thirty-nine citizens of the township of Allegan, for a division of said township. Referred to the committee on the organization of townships and counties.

By Mr. Jones. Of the supervisors of the county of Jackson, relative to a teacher's institute. Referred to the committee on education.

By Mr. Adam. Of sundry citizens of Lenawee county, for the incorporation of a literary institution to be called the Raisin Institute. Referred to the committee on banks and incorporations.

**REPORTS.**

Mr. Johnson, from the committee on banks and incorporations, reported back the Senate bill to incorporate the Chippewa Portage Company, without amendment, and recommended its passage, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Johnson, from the same committee, reported a bill to change the name of the village of Truago, in the county of Wayne, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Harris, from the committee on the organization of townships and counties, reported a bill to organize certain townships in the counties of Marquette, Houghton, Schoolcraft and Ontonagon, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Adam, from the committee on ways and means, reported a bill

to authorize the reassessment of certain taxes in the township of Irving, in the county of Barry, and a bill to extend the time for the collection of certain taxes in the township of Vienna in the county of Genesee, and the township of La Salle in the county of Monroe, which bills were read twice, referred to the committee of the whole, and placed on the general order.

Mr. Fralick, from the committee on claims, made the following report, which was accepted, and the committee discharged from the further consideration of the subject :

The committee on claims, to whom was referred the resolution relative to the payment of Samuel W. Hill, a contestant for a seat in this House in the place of Elisha G. Seymour, have instructed me to report the same back to the House without the expression of an opinion on the merits of the claim, (as your committee have no evidence before them on the subject except what is before the House,) and respectfully ask to be discharged from the further consideration thereof.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed the joint resolution relative to the adjournment of the legislature, and the house amendments to the senate bill to incorporate the Port Huron and Lake Michigan railroad company.

Mr. Turner gave notice that on some future day he should ask leave to introduce a bill to authorize the townships in this state to keep their own records, provided a majority of the legal voters at any annual township meeting shall so determine.

Mr. Britain, pursuant to previous notice, asked and obtained leave to introduce a bill to improve the navigation of the St. Joseph river, which was read twice, and referred to the committee on internal improvement.

Mr. Haydon gave notice that on some future day he should ask leave to introduce a joint resolution relative to the claim of Minor Y. Turrill.

The joint resolution relative to the adjournment of the legislature was read the third time and passed.

The Senate bill to incorporate the Port Huron and Lake Michigan railroad company was read third the time, when

Mr. Goodwin moved to recommit the bill to the committee on banks and incorporations, with instructions:

1st. To strike out any provisions of the bill authorizing the company to take the property of private citizens, or of other corporate companies, beyond the bounds of the road, at the appraisal of men.

2d. To enquire and report whether the provisions fixing a specific tax is not granting exclusive and separate privileges within the true intent and meaning of the constitution.

3d. Whether such a principle of taxation is not an unjust and unwarrantable interference of the state with the taxation of property for county and township purposes.

Which motion was decided in the negative by the following vote:

#### YEAS.

Mr. Britain,  
Coates,  
Deming,  
Eaton,  
Edmunds,  
Ferrington,

Mr. Fralick,  
Goodwin,  
Goodyear,  
Haydon,  
Knight,  
McFarlan,

Mr. H. Mower,  
Noble,  
Renwick,  
Throop,  
Turner,  
Van Duser, 18

#### NAYS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Brooks,  
Chubb,  
Clark,  
Culver,  
Darrah,  
Driggs,  
Faxon,  
Glen,  
Goodell,  
Goodrich,

Mr. Harris,  
Hebard,  
Harrington,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Lomis,  
Marantette,  
McGraw,  
Miller,  
G. W. Moore,

Mr. O'Malley,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
H. W. Taylor,  
Truesdell,  
Upton,  
Speaker, 40

The bill was then passed by a two thirds vote as follows:

#### YEAS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Britain,  
Brooks,  
Chubb,  
Clark,  
Coates,  
Culver,

Mr. Goodyear,  
Harris,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,

Mr. O'Malley,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
H. W. Taylor,

Darrah,  
Driggs,  
Edmunds,  
Faxon,  
Glen,  
Goodell,  
Goodrich,

Knight,  
Lomis,  
Marantette,  
McGraw,  
Miller,  
G. W. Moore,  
H. Mower,

Throop,  
Truesdell,  
Turner,  
Upton,  
Van Duser,  
Speaker,

50

## NAYS.

Mr. Deming,  
Eaton,  
Ferrington,

Mr. Fralick,  
Goodwin,  
Haydon,

Mr. McFarlan,  
Noble,

8

The House then resolved itself into committee of the whole on the general order, Mr. Goodwin in the chair.

After some time, the committee rose, and by their chairman reported back to the House without amendment, a bill to extend the time or the collection of certain taxes for the year 1846, in the county of Saginaw, a bill for the relief of the township of Manlius, in Allegan county, a bill to amend section one hundred and two, chapter twenty, title five of the revised statutes of 1846, and a bill to authorize the common council of the village of Adrian to confirm the appointment of certain firemen, and a bill to abolish the office of acting commissioner of internal improvement, and for other purposes, to which they had made amendments in which the concurrence of the House was asked; and also, a bill and substitute to provide for the preservation of the Clinton and Kalamazoo canal, on which they had made some progress, and asked and obtained leave to sit again thereon.

The amendments to the bill to abolish the office of acting commissioner of internal improvement, and for other purposes, were severally concurred in; when

Mr. Britain moved to amend the bill by striking out therefrom the first section.

Pending which,

Mr. Johnson moved to indefinitely postpone the further consideration of the bill,

Which motion was lost; and

On motion of Mr. J. D. Pierce,

The bill was laid on the table.

Mr. D. Pierce moved to strike out all after the enacting clause of the bill to extend the time for the collection of certain taxes for the

year 1846, in the county of Saginaw, which motion was lost, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Adam,

The bill for the relief of the township of Manilus in Allegan county, was referred to the committee on the judiciary.

The bill to authorize the common council of the village of Adrian to confirm the appointment of certain firemen, was ordered to be engrossed for a third reading.

On motion of Mr. Adam,

The bill to amend section one hundred and two, chapter twenty, title five of the revised statutes of 1846, was referred to the committee on ways and means.

On motion of Mr. McFarlan,

The House adjourned.

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*Thursday, January 28, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Brown and Dyckman were absent on leave, and Messrs. Goodrich, Hebard, Kelsey, Kinne, H. Mower, J. D. Pierce and Shaw were absent without leave.

Mr. Pond asked and obtained leave of absence for Messrs. Goodrich and Hebard for an indefinite period.

Mr. Van Duser for Mr. Kinne, until Tuesday next.

The journal of yesterday was read and approved.

**PETITIONS PRESENTED.**

By Mr. Brooks. Of inhabitants of the township of Polk, in Huron county, for the passage of a law to legalize the collection of township, county and state taxes in said county. Referred to the committee on the judiciary.

Also, the claim of Ebenezer Wesbrook, for services rendered the state. Referred to the committee on elections.

By Mr. Upton. The proposition of James Seymour, in relation to the location of capitol upon his land, in Ingham county. Referred to the select committee on that subject.



By the Speaker. The remonstrance of Jeremiah Riggs, and two hundred and ten others, citizens of Fentonville and vicinity; and also of A. H. Jones and thirty-one other inhabitants of the township of Rose, in Oakland county, against the proposed alterations in the route of Pontiac and Genesee railroad company. Laid on the table.

REPORTS.

Mr. H. W. Taylor, from the committee on the state library, made the following report, which was accepted, and the committee discharged from the further consideration of the subject.

The standing committee on the state library to which was referred the petition of the trustees of the Milwaukie library association for a grant of certain public documents, of the late Territory of Michigan, respectfully report:

That in order to be put in possession of the knowledge of the present condition of the state library, so as to enable the committee and the legislature to decide correctly in the matter, the chairman requested a statement from the Librarian of the number of such documents remaining in possession of the state, from whom he received an answer as follows:

“That there can only be furnished the session laws for 1841, '42, '44, '45 and '46, and the legislative documents for 1845 and 1846. Of the above laws and documents we have plenty, but of the laws and documents for other years we have only three set of documents for each year, and a few set of laws for other years, no more than are required for the use of the library.”

Your committee are therefore constrained to report adversely to the prayer of the said petition.

All which is respectfully submitted.

Mr. Noble, from the committee on the judiciary, reported back the bill for the relief of the township of Manlius in Allegan county, and on his motion the bill was referred to the committee on ways and means.

Mr. O'Malley, from the committee on education, reported a bill to amend chapter fifty-eight of the revised statutes of 1846, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. J. D. Pierce, from the committee on federal relations, reported

a preamble and joint resolutions relative to a petition of the Chippewa Indians, which were read twice, referred to the committee of the whole, and placed on the general order.

Mr. Glen, from the committee on public lands, reported back the petitions of Dennis McMan, John Hogadone, Thomas Healey and Peter Patterson, settlers on salt spring lands, asking for relief, and asked to be discharged from the further consideration thereof.

The report was accepted and the committee discharged ; and

On motion of Mr. C. H. Taylor,

~~Mr.~~ The petitioners were given leave to withdraw their petitions from the files of the House.

Mr. Goodwin, from the committee on state affairs, reported a bill to define a homestead and exempt it from execution, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Goodwin, from the same committee, to whom was referred certain resolutions in reference to specific taxes per acre on land instead of assessments as now made ; also in reference to a plan of assessment, collection and disbursement of all taxes more efficient and less expensive ; and also whether some improvements and reforms may not be adopted to save expense in our state, county and townships, and thus lessen the burthens of the people, made a report, which was accepted, the committee discharged, and

On motion of Mr. Adam,

The report was laid on the table and ordered to be printed.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed, the bill to extend the time for the collection of certain taxes for the year 1848, in the county of Saginaw, and the bill to authorize the common council of the village of Adrian to confirm the appointment of certain firemen.

The following message was received from the Executive :

EXECUTIVE OFFICE, }  
Detroit, January 26, 1847. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State, "joint resolutions relative to the leasing of mineral lands by the United States."

Also "joint resolutions of instructions to the joint committee on state prison."

ALPHEUS FELCH.

The following messages were received from the Senate :

SENATE CHAMBER,  
Detroit, January 26, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the "bill to amend the charter of the city of Detroit, as to the time of making assessments," and to respectfully inform you that the Senate have passed the same.

Also to inform you that the Senate have concurred in the report of the committee of conference on the disagreement between the two Houses on the "bill to authorize the assessment and collection of certain taxes in the township of Woodhull, in the county of Shiawassee," and have also concurred in the House amendments to the "bill authorizing any persons to construct lines of electric telegraph in the state of Michigan," and have ordered the bills as amended to be enrolled. }

Your obedient servant,

JAMES E. PLATT,

*Sec'y. of Senate.*

SENATE CHAMBER,  
Detroit, January 27, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to return the "bill to extend the time for the collection of certain taxes for the year 1846, in the city of Detroit," and to respectfully inform you that the Senate have receded from their second amendment thereto.

Your obedient servant,

JA'S. E. PLATT,

*Sec'y. of Senate.*

The bill to amend the charter of the city of Detroit, as to the time of making assessments, and the bill to extend the time for the collection of certain taxes for the year 1846, in the city of Detroit, were ordered to be enrolled.

Mr. J. D. Pierce gave notice that on some future day he should ask

leave to introduce a bill to amend the charter of the Battle Creek and Grand River railroad company.

Mr. Coates gave notice that on some future day he should ask leave to introduce a bill for an appropriation on the Kalamazoo river.

On motion of Mr. Turner,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of introducing a bill to reduce the fees of county clerks, registers and treasurers.

Mr. H. Mower offered the following preamble and resolution :

*Whereas*, by the present law of the revised statutes, soon to take effect, the interest on taxes returned unpaid to the auditor general is enormous, usurious and unworthy of an enlightened people,

*And whereas*, the state of Michigan, by this manner of legislation, is placed in the dishonorable position of usurer, taking an interest which by her own laws she declares to be illegal and oppressive, repulsing emmigration, and incompatible with her true interest ; therefore,

*Resolved*, That the committee on ways and means be instructed to inquire into the expediency of so amending the present tax system, that only legal interest may be required and collected by the state and her officers.

The question being on the adoption of the resolution, it was adopted ; and the question then recurring on the adoption of the preamble, it was rejected.

Mr. Haydon, pursuant to previous notice, asked and obtained leave to introduce a joint resolution relative to the claim of Minor Y. Turfill, which was read twice and referred to the committee on claims.

On motion of Mr. Price,

*Resolved*, That the committee on public lands be instructed to inquire into the expediency of reducing the price of primary school lands sold in the years 1887, '88 and '89, to the present minimum price of unsold primary school lands ; also the reduction of unsold primary school lands that have been offered for sale by the state for nine years, to two dollars and fifty cents per acre, and report by bill or otherwise.

Mr. Noble, from the committee on the judiciary, by unanimous consent, reported back the petition of Louis Meran, and his minor chil-

dren, for relief, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and

On motion of Mr. C. H. Taylor,

The petitioners were granted leave to withdraw their petitions from the files of the House.

On motion of Mr. Noble,

*Resolved*, That the board of auditors appointed under the act entitled an act to establish a board of auditors, to investigate certain claims growing out of sales of primary or common school, university and internal improvement lands, &c., approved March 24, 1845, be instructed to report to this House whether a claim was presented to said board by Cyrus Dana and Rodney C. Paine, claiming to hold by assignment from Cephas Mills, to the same lot of land awarded by the board to Job Brookfield—and if so, whether said board considered said claim, and if not what were the reasons why the board *refused* to consider the claim of Dana & Paine, and whether they declined action on said claim on the ground of their want of jurisdiction to give relief in cases where contracts to purchase state building lands of the state had been forfeited, notwithstanding large payments might have been made on such contract.

*Resolved*, That said board also report whether there was proof before them that Cephas Mills, under whom Dana & Paine claimed, had actually paid to the state over eleven hundred dollars upon the contract assigned to them for sale of said land, and whether it appeared that said contract had been first assigned by Job Brookfield to Mills; and whether the board decided they had no power to grant relief to said Mills or his assigns against a forfeiture of the contract subsequent to such payment, for non-payment to the state of other instalments of purchase money. And whether it appeared in proof that said Mills or his assigns were in actual possession of the said land from the year 1838 to 1843, and whether said Cephas Mills was in actual possession of said land on the 25th day of March, 1843—and to report in detail the ground and reasons of their awards of the land in question, to Job Brookfield, and the substance of the evidence before them in support of the claim of said Brookfield, and the ground and reasons for the rejection by them of the claim of said Dana and

On calling the roll, Messrs. Brown, Dyckman, Goodrich, Hebard and Kinne were absent on leave, and Messrs. Chubb, Eaton, Glen, Goodwin, Hollister, Johnson, Jones, Kelsey, G. W. Moore, H. Mower, Noble, Renwick, Seymour, Shaw, H. W. Taylor and Throop were absent without leave.

Mr. Edmunds asked and obtained leave of absence for Mr. Renwick for the afternoon, on account of ill health.

Mr. Knight for Mr. Kelsey for the afternoon.

Mr. Brooks asked leave of absence for Mr. Seymour for the afternoon, which was not granted.

Mr. Britain for Mr. G. W. Moore for the same time, which was refused.

Mr. O'Malley, from the committee on education, by unanimous consent, reported a bill to enable the township of Schoolcraft to accept the bequest of Franklin Howard, and for other purposes, which was read twice, referred to the committee of the whole, and placed on the general order.

On motion of Mr. C. H. Taylor.

The House then resolved itself into committee of the whole on the bill to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand River, at Grand Rapids, Mr. Upton in the chair.

And after some time, the committee rose, and by their chairman reported the bill back with sundry amendments, in which the concurrence of the House was asked ; and

The amendments were concurred in, in gross, by the House, and the bill was then ordered to be engrossed for a third reading.

Mr. Seely, by unanimous consent, presented the petition of E. Cressy and five hundred others, for the incorporation of a company to construct a plank or charcoal road from Detroit to Birmingham. Referred to the committee on roads and bridges.

The House then went into committee of the whole, on the general order, Mr. Eaton in the chair.

And after some time spent thereon, the committee rose and by their chairman reported that they had had under consideration, a bill to incorporate the Chippewa Portage Company, to which they had

made sundry amendments, in which the concurrence of the House was asked.

On motion of Mr. Adam,  
The House adjourned.

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*Friday, January 29, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Brown, Goodrich, Hebard and Kinne were absent on leave, and Messrs. Britain, Darrah, Eaton, Faxon, Kelsey, Knight, G. W. Moore, H. Hower and O'Malley were absent without leave.

Mr. Throop asked and obtained leave of absence for Mr. G. W. Moore, until Monday next.

Mr. Turner. for Mr. Faxon until Tuesday.

Mr. McFarlan for Mr. Eaton until Monday.

Mr. Barker for Mr. Darrah, for the day.

Mr. Adam for Mr. Knight, and Mr. Clark for Mr. Kelsey for an indefinite period.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. McFarlan. Of forty-two inhabitants of the county of Wayne, for the repeal of the charter of the Detroit and Grand river plank road company. Referred to the committee on banks and incorporations.

By Mr. Harris. Of Timothy O'Sullivan, a settler on state salt spring lands for relief. Referred to the committee on public lands.

By Mr. C. H. Taylor. Of Wm. Rogers and others, for the organization of certain townships in the county of Ottawa. Referred to the committee on the organization of townships and counties.

Also, of Wm. R. Davis and others, for the organization of town nine, north of range nine west, into a separate township. Same reference.

Also, the claim of K. S. Pettibone, for services in laying out a certain state road. Referred to the committee on claims.

By Mr. Edmunds. Of A. Hinman and three hundred and fifty-two other citizens residing in the valley of the Huron river, asking for the passage of a law requiring the owners of mill-dams upon said stream to place sluices in their dams, that the fish from Lake Erie may pass up said river. Referred to the committee on state affairs.

#### REPORTS.

Mr. Harrington, from the committee on internal improvement, reported back the petition of Job Brookfield and others, for permission to build a dam across the St. Joseph river, and reported adverse to the prayer of the petition.

The report was accepted and the committee discharged from the further consideration of the subject.

Mr. Glen, from the committee on public lands, reported a bill for the relief of Asa Pratt, and a joint resolution for the relief of Harvey Sherman, which were read twice, referred to the committee of the whole, and placed on the general order.

Mr. Harrington, from the committee on internal improvement, reported back the bill relative to an appropriation on the Detroit and Grand River road, and reported adverse to its passage.

The report was accepted, the committee discharged from the further consideration of the bill, and it was referred to the committee of the whole.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed, the bill to authorize the supervisors of Kent to construct a canal and locks around the rapids of Grand River, at Grand Rapids, and a bill to provide for the preservation of the Clinton and Kalamazoo canal; and that the bill to amend the charter of the city of Detroit, as to the time of making assessments, and the bill to extend the time for the collection of certain taxes for the year 1846, in the city of Detroit, were correctly enrolled, and were this day presented to the Governor for his approval.

Mr. Goodwin, from the committee on state affairs, reported back the petition of inhabitants of Polk township, in the county of Huron, for a law to legalize the collection of township, county and state taxes in that county, and reported adverse to any legislative action thereon.



The report was not accepted, the committee were discharged from the further consideration of the petition, and

On motion of Mr. Goodwin,

It was laid on the table.

The following message was received from the Senate:

SENATE CHAMBER,  
*Detroit, January 28, 1847.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the “preamble and joint resolutions on the existing war with Mexico,” and to respectfully inform you that the Senate have non-concurred in the amendments of the House striking out the second, fifth, sixth, seventh and ninth resolutions, as adopted by the Senate, and have concurred in the remaining House amendments with certain amendments, in which they respectfully ask the concurrence of the House.

Also to inform you that the Senate have concurred in the House amendments to the “bill to incorporate the Port Huron and Lake Michigan Railroad company,” and have ordered the bill as amended to be enrolled.

Also to transmit a “joint resolution relative to publishing the report of the superintendent of public instruction,” which the Senate have adopted, and

A “bill to change the name of Rhoda Zeolida Critchett,” which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The Senate joint resolution relative to publishing the report of the superintendent of public instruction, was read twice and referred to the committee on education.

The Senate bill to change the name of Rhoda Zeolida Critchett, was read twice and referred to the committee on state affairs.

On motion of Mr. Adam,

The Senate preamble and joint resolutions on the existing war with Mexico, together with the amendments thereto, were referred to the committee on federal relations.

On motion of Mr. Miller,

*Resolved*, That the committee on internal improvements be instructed to inquire into the expediency of appropriating three thousand acres of internal improvement lands for the purpose of improving the Detroit and Saginaw turnpike between the villages of Flint and Saginaw.

Mr. Seymour gave notice that on some future day he should ask leave to introduce a bill to make an appropriation of internal improvement lands for the purpose of constructing common roads and other improvements in the counties of Chippewa, Houghton, Schoolcraft, Ontonagon and Marquette.

On motion of Mr. Makley,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of extending the jurisdiction of the county courts to all criminal cases, exclusively, with a right to remove the same to the circuit courts by writ of error.

On motion of Mr. Edmunds,

*Resolved*, That the committee on internal improvement be instructed to inquire into the expediency of appropriating twenty thousand acres of land for the improvement of the Huron river.

On motion of Mr. Harrington,

*Resolved*, That the committee on the organization of townships and counties be instructed to inquire into the expediency of reannexing the township of Polk, in the county of Huron, to the township of Lexington, in St. Clair county, for judicial purposes, and if they deem it expedient to report by bill forthwith.

On motion of Mr. H. Mower,

*Resolved*, That the committee on internal improvement be instructed to inquire into the expediency of appropriating fifty thousand acres to the improvement of the Kalamazoo river.

On motion of Mr. Adam,

The committee of the whole were discharged from the consideration of the bill to extend the time for the collection of certain taxes in the township of Vienna, in the county of Genesee, and in the township of La Salle, in the county of Monroe, and it was ordered to be engrossed for a third reading.

Mr. Price, from the committee on engrossment and enrollment, reported the bill as correctly engrossed.

The bill to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand River at Grand Rapids, was read the third time and passed by the following vote :

## YEAS.

Mr. Adam,	Mr. Glen,	Mr. Miller,	
Arzeno,	Goodell,	J. D. Pierce,	
Barker,	Goodwin,	Pond,	
Bell,	Goodyear,	Price,	
Britain,	Harris,	Renwick,	
Brooks,	Harrington,	Seeley,	
Chubb,	Hollister,	Seymour,	
Coates,	Johnson,	Shaw,	
Culver,	Jones,	Shook,	
Deming,	Kilborn,	C. H. Taylor,	
Driggs,	Makley,	H. W. Taylor,	
Dyckman,	Marantette,	Upton,	
Edmunds,	McFarlan,	Walker,	
Ferrington,	McGraw,	Speaker,	
Fralick,			43

## NAYS.

Mr. Clark,	Mr. H. Mower,	Mr. Truesdell,	
Davison,	Noble,	Turner,	
Jennings,	D. Pierce,	Van Duser,	
Lomis,	Throop,		11

The bill to provide for the preservation of the Clinton and Kalamazoo canal, was read the third time, when

Mr. D. Pierce moved to recommit the bill to the committee on internal improvements, with instructions to strike out "board of internal improvement," wherever it occurs and insert "the board of supervisors of the county of Macomb," and so change the language that said board shall have power to make the expenditure, with or without an agent.

Which motion was lost.

Mr. Upton moved that the House adjourn until two o'clock, which motion was decided in the negative.

The question then recurring on the passage of the bill, it was not passed by the following vote :

## YEAS.

Mr. Bell,	Mr. Haydon,	Mr. Miller,	
Brooks,	Harrington,	Price,	
Driggs,	Jennings,	Seymour,	
Glen,	Johnson,	Shook,	
Goodell,	Kilborn,	C. H. Taylor,	
Goodyear,	Makley,	Upton,	
Harris,	Marantette,	Speaker,	21

On motion of Mr. Miller,

*Resolved*, That the committee on internal improvements be instructed to inquire into the expediency of appropriating three thousand acres of internal improvement lands for the purpose of improving the Detroit and Saginaw turnpike between the villages of Flint and Saginaw.

Mr. Seymour gave notice that on some future day he should ask leave to introduce a bill to make an appropriation of internal improvement lands for the purpose of constructing common roads and other improvements in the counties of Chippewa, Houghton, Schoolcraft, Ontonagon and Marquette.

On motion of Mr. Makley,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of extending the jurisdiction of the county courts to all criminal cases, exclusively, with a right to remove the same to the circuit courts by writ of error.

On motion of Mr. Edmunds,

*Resolved*, That the committee on internal improvement be instructed to inquire into the expediency of appropriating twenty thousand acres of land for the improvement of the Huron river.

On motion of Mr. Harrington,

*Resolved*, That the committee on the organization of townships and counties be instructed to inquire into the expediency of reannexing the township of Polk, in the county of Huron, to the township of Lexington, in St. Clair county, for judicial purposes, and if they deem it expedient to report by bill forthwith.

On motion of Mr. H. Mower,

*Resolved*, That the committee on internal improvement be instructed to inquire into the expediency of appropriating fifty thousand acres to the improvement of the Kalamazoo river.

On motion of Mr. Adam,

The committee of the whole were discharged from the consideration of the bill to extend the time for the collection of certain taxes in the township of Vienna, in the county of Genesee, and in the township of La Salle, in the county of Monroe, and it was ordered to be engrossed for a third reading.

Mr. Price, from the committee on engrossment and enrollment, reported the bill as correctly engrossed.

The bill to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand River at Grand Rapids, was read the third time and passed by the following vote :

## YEAS.

Mr. Adam,	Mr. Glen,	Mr. Miller,
Arzeno,	Goodell,	J. D. Pierce,
Barker,	Goodwin,	Pond,
Bell,	Goodyear,	Price,
Britain,	Harris,	Renwick,
Brooks,	Harrington,	Seeley,
Chubb,	Hollister,	Seymour,
Coates,	Johnson,	Shaw,
Culver,	Jones,	Shook,
Deming,	Kilborn,	C. H. Taylor,
Driggs,	Makley,	H. W. Taylor,
Dyckman,	Marantette,	Upton,
Edmunds,	McFarlan,	Walker,
Ferrington,	McGraw,	Speaker,
Fralick,		

43

## NAYS.

Mr. Clark,	Mr. H. Mower,	Mr. Truesdell,
Davison,	Noble,	Turner,
Jennings,	D. Pierce,	Van Duser,
Lomis,	Throop,	

11

The bill to provide for the preservation of the Clinton and Kalamazoo canal, was read the third time, when

Mr. D. Pierce moved to recommit the bill to the committee on internal improvements, with instructions to strike out "board of internal improvement," wherever it occurs and insert "the board of supervisors of the county of Macomb," and so change the language that said board shall have power to make the expenditure, with or without an agent.

Which motion was lost.

Mr. Upton moved that the House adjourn until two o'clock, which motion was decided in the negative.

The question then recurring on the passage of the bill, it was not passed by the following vote :

## YEAS.

Mr. Bell,	Mr. Haydon,	Mr. Miller,
Brooks,	Harrington,	Price,
Driggs,	Jennings,	Seymour,
Glen,	Johnson,	Shook,
Goodell,	Kilborn,	C. H. Taylor,
Goodyear,	Makley,	Upton,
Harris,	Marantette,	Speaker,

21

## NAYS.

Mr. Adam,	Mr. Dyckman,	Mr. D. Pierce,
Arzeno,	Edmunds,	Pond,
Barker,	Ferrington,	Renwick,
Britain,	Fralick,	Shaw,
Chubb,	Goodwin,	H. W. Taylor,
Clark,	Hollister,	Throop,
Coates,	Jones,	Truesdell,
Culver,	McFarlan,	Turner,
Davison,	H. Mower,	Van Duser,
Deming,	Noble,	Walker, 30

The bill to extend the time for the collection of certain taxes in the township of Vienna in the county of Genesee, and in the township of LaSalle in the county of Monroe, was read the third time and passed.

On motion of Mr. Harris,  
The House adjourned.

*Saturday, January 30, 1847*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Brown, Eaton, Faxon, Goodrich, Hebard, Kelsey, Kinne, Knight and G. W. Moore were absent on leave, and Messrs. Ferrington, Fralick and Hollister were absent without leave.

Mr. Johnson asked and obtained leave of absence for Mr. Hollister until Monday next.

The journal of yesterday was read and approved.

## PETITIONS PRESENTED.

By Mr. Throop. The claim of Nathaniel M. Sweeney. Referred to committee on claims.

Also, the claim of G. McKenzie. Same refererence.

By Mr. Price. Of John Stead and others, to vacate a portion of the village plat of the village of Utica, in the county of Macomb. Referred to the committee on the organization of townships and counties.

By Mr. C. H. Taylor. Of James W. Simmons, and others, to

attach a certain town to the township of Plainfield in the county of Kent. Same reference.'

By Mr. H. Mower. The remonstrance of Albert E. Bull, and other citizens of the township of Irving, against a division of said township. Same reference.

By Mr. Britain. The remonstrance of Michael R. Keegon and one hundred and four others, against a division of the township of Bertrand. Same reference.

Also, the petition of Phineas Pearl, and others, for authority to reassess certain taxes in district number three, in the township of Benton. Referred to the committee on ways and means.

By Mr. H. Mower. The claim of George F. Macy. Referred to the committee on claims.

By Mr. O'Malley. The petition of John B. Spencer, and others, for the repeal of the borough charter of the borough of Mackinac, in the county of Michilimackinac. Referred to the committee on banks and incorporations.

By Mr. Noble. Of Jesse Kimball and others, for an extension of the time for the collection of certain taxes in the township of Pittsford in the county of Hillsdale. Referred to the committee on ways and means.

Mr. Goodwin, from the committee on state affairs, to whom was referred the Senate bill to change the name of Rhoda Zeolida Critchett, made the following report, which was accepted, and the committee discharged from the further consideration of the subject :

The committee on state affairs, to whom was referred a certain Senate bill for the alteration of a certain name, which the modesty of the committee induces them not to mention, have instructed me to report :

That they have had no opportunity of examining the subject mentioned in the Senate bill, and that they do not deem such examination necessary. They are satisfied that the public policy of the state is in no way at war with the object proposed, and that, in the language of the Governor, it is not a matter "foreign to the original design of the government ;" and as the whole thing is the work of the Senate and not of the House, the character of the state will in no way be injured, by granting the assent of this House to their begetting of a child by

the name of *Rhoda Zeolida White*, from that of *Rhoda Zeolida Critchett*!!!

Under different circumstances than those presented, the committee entertain no doubt, that the public welfare would be better promoted, and one of the best institutions of civilized society fostered and encouraged, by referring the subject matter of this bill to the chairman of the committee on federal relations, in order that said name might be changed without further legislation, and to the full satisfaction of all concerned.

As the relief so much desired cannot now be had in manner afore-said, and as no Senator seems to be opposed to the begetting of such a child, the committee recommend the passage of the Senate bill.

The bill to change the name of *Rhoda Zeolida Critchett* was ordered to a third reading.

Mr. Adam, from the committee on ways and means, reported a bill to amend the revised statutes of 1846, concerning the assessment and collection of taxes, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Harris, from the committee on the organization of townships and counties, reported a bill to attach the township of Polk, in the county of Huron, to the township of Lexington, in the county of St. Clair, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Johnson, from the committee on banks and incorporations, reported back the petition for the repeal of the charter of the Kalamazoo Mutual Insurance Company, and reported adverse to the prayer of the petition.

The report was accepted and the committee discharged from the further consideration of the subject.

Mr. Johnson, from the same committee, reported a bill to incorporate the Detroit River Marine Railway Company, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. J. D. Pierce, from the committee on federal relations, reported back the Senate preamble and joint resolutions on the existing war with Mexico, with the amendments thereto, and recommended that the House insist on their amendments.



The report was accepted and the committee discharged from the further consideration of the subject ; and

The House non-concurred in the Senate amendments to the House amendments.

On motion of Mr. Johnson,

The House insisted on their amendments to the preamble and joint resolutions.

The following communication was announced :

EXECUTIVE OFFICE,  
*Detroit, January 30, 1847.* }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State,

“An act to amend the charter of the city of Detroit, as to the time of making assessments ;” also

“An act to extend the time for the collection of certain taxes for the year eighteen hundred and forty-six, in the city of Detroit.”

ALPHEUS FELCH.

The following messages were received from the Senate :

SENATE CHAMBER,  
*Detroit, January 29, 1847.* }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to return the “bill to extend the time for the collection of taxes in the township of Marshall in the county of Calhoun,” and to respectfully inform you that the Senate have concurred in the report of the committee of conference thereon, which is herewith transmitted.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

SENATE CHAMBER,  
*Detroit, January 30, 1847.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the “bill to extend the time for the collection of certain taxes for the year 1846, in the

county of Saginaw" which the Senate have passed with amendments in which they respectfully ask the concurrence of the House.

Your ob't serv't,

JAS. E. PLATT,

*Sec. Senate.*

The House concurred in the report of the committee of conference on the bill to extend the time for the collection of taxes in the township of Marshall, in the county of Calhoun, and ordered the bill to be enrolled.]

The bill to extend the time for the collection of certain taxes for the year 1846, in the county of Saginaw, being under consideration, and the question being on concurring in the Senate amendments thereto,

On motion of Mr. Noble,

The amendments were amended by inserting after the word "Monroe" in the fourth line of section four, "and in the township of Pittsford, in the county of Hillsdale," and making the corresponding amendments in the bill.

The amendments, as amended, were then concurred in.

Mr. Britain gave notice that on some future day he should ask leave to introduce a bill to provide for the construction of a plank road around the falls of St. Marie, in Chippewa county, and a bill to provide for the construction of a plank road from New Buffalo in Berrien county, to the state line in the direction of Laporte, in Indiana.

On motion of Mr. Deming,

*Resolved*, That the committee on ways and means be instructed to inquire into the expediency of bringing in a bill to appropriate all of the internal improvement lands for the liquidation of the internal improvement debt.

Mr. Mower gave notice that on some future day he should ask leave to introduce a bill for the repeal of the charter of the Kalamazoo mutual insurance company.

Mr. Jennings moved to take from the table the resolution ordering the holding of two sessions a day, which motion was lost.

On motion of Mr. Pond,

*Resolved*, That the committee on internal improvements be instructed to inquire into the expediency of appropriating five thousand

acres of internal improvement lands for the purpose of improving the navigation of Flint river between the villages of Flint and Saginaw.

On motion of Mr. Goodyear,

*Resolved*, That the committee on internal improvement be instructed to inquire into the expediency of appropriating ten thousand acres of land for the improvement of the Thornapple river.

On motion of Mr. Turner,

*Resolved*, That the committee on internal improvement be requested to inquire into the expediency of appropriating twenty-five thousand acres of internal improvement lands, for the purpose of draining the Cottonwood Swamp.

Mr. Goodwin, from the committee on state affairs, by unanimous consent, reported back the bill to authorize township clerks to record deeds and mortgages, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

On motion of Mr. Pond,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of abolishing the office of judge of probate, and of making the duties now exercised by such judge devolve on the county judge.

The Senate bill to change the name of Rhoda Zeolida Critchett was read the third time and passed.

The Senate bill to incorporate the Chippewa Portage Company, together with the amendments made thereto in committee of the whole, came up as unfinished business, and the question being on concurring in the amendment,

On motion of Mr. Britain,

The bill and amendments were referred to the committee on banks and incorporations.

The House then resolved itself into committee of the whole on the general order, Mr. Price in the chair,

And after some time, the committee rose and by their chairman reported that they had had under consideration, a bill to authorize the re-assessment of certain taxes in the township of Irving, in the county

of Barry, and a bill to change the name of the village of Truago, in the county of Wayne, which they reported back without amendment, and the bills were severally ordered to be engrossed for a third reading.

The committee also reported that they had had under consideration a bill to provide for the improvement of the state road leading from Byron, in the county of Shiawassee, to Lyons, in the county of Ionia, to which they had made amendments, in which the concurrence of the House was asked.

The first amendment was non-concurred in, and the remainder of the amendments were severally concurred in.

On motion of Mr. McFarlan,

The following proviso was added to section eleven: "Provided further, that said board of supervisors shall have power to remove any commissioner, upon good cause shown."

Mr. Goodwin moved to strike out section eleven, which motion was lost, and the bill was ordered to be engrossed.

Mr. Davison moved a reconsideration of the vote by which the House refused to pass the bill to provide for the preservation of the Clinton and Kalamazoo canal, which motion, under rule twenty-seven, lies on the table one day.

Mr. Miller moved a reconsideration of the vote by which the House concurred in the Senate amendment to the bill to extend the time for the collection of certain taxes for the year 1846, in the county of Saginaw, and

On motion of Mr. Goodwin,

The twenty-seventh rule was suspended, and the vote was reconsidered.

On motion of Mr. Adam,

The vote was reconsidered by which the House amended the Senate amendments to said bill.

The question then recurring on the House amendments, they were rejected, and the Senate amendments were concurred in, and the bill as amended ordered to be enrolled.

Mr. Price, from the committee on engrossment and enrollment, reported that the following bills were correctly enrolled, and were this day presented to the governor for his approval, viz:

A bill to extend the time for the collection and return of taxes in the township of Marshall in the county of Calhoun, and

A bill to extend the time for the collection of certain taxes for the year 1846, in the county of Saginaw, and in the township of Vienna in the county of Genesee, and in the township of La Salle in the county of Monroe.

On motion of Mr. J. D. Pierce,

The House adjourned.

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*Monday, February 1, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Brown, Faxon, Goodrich, Hebard, Hollister, Kelsey, Kinne and Knight, were absent on leave, and Messrs. Glen and Harris were absent without leave.

Mr. C. H. Taylor asked and obtained leave of absence for Mr. Harris for the day.

The journal of Saturday was read and approved.

PETITIONS PRESENTED.

By Mr. H. Mower. Of S. Vickery, and others, for a law giving to Theodore Smith certain property liable to escheat. Referred to the committee on the judiciary.

By Mr. Throop. The claim of John Webster. Referred to the committee on claims.

Also, the petition of two hundred and thirty-six inhabitants of the county of Wayne, for the passage of a law giving authority to said county to build a new jail. Referred to the committee on the organization of townships and counties.

By Mr. Seeley. Of J. H. Swayzee, and eighty-one others, for the incorporation of the Detroit and Birmingham plank road company. Referred to the committee on roads and bridges.

Mr. Glen, from the committee on public lands, reported back the petition of Timothy O'Sullivan, a settler on the salt spring lands, for relief, and reported adverse to the prayer of the petition.

The report was accepted, the committee discharged from the further consideration of the subject, and

On motion of Mr. C. H. Taylor,

The petitioner was granted leave to withdraw his papers.

The following message was received from the Executive:

EXECUTIVE OFFICE,  
Detroit, January 30, 1847. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State "an act to extend the time for the collection and return of taxes in the township of Marshall, in the county of Calhoun."

Also, "an act to extend the time for the collection of certain taxes for the year eighteen hundred and forty-six in the county of Saginaw, also in the township of Vienna, in the county of Genesee, and in the township of La Salle, in the county of Monroe."

ALPHEUS FELCH.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, January 30, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the "bill to authorize the common council of the village of Adrian to confirm the appointment of certain firemen, and to respectfully inform you that the Senate have concurred therein.

Your obedient servant,

JAMES E. PLATT,

*Sec'y. of Senate.*

The bill to authorize the common council of the village of Adrian to confirm the appointment of certain firemen, was ordered to be enrolled.

Mr. Culver gave notice that on some future day he should ask leave to introduce a bill to incorporate the Union City Iron company.

On motion of Mr. Kilborn,

*Resolved,* That the committee on public lands be and they are hereby instructed to ascertain and report to this House, as soon as practicable, the number of acres of state building lands unsold, their probable value, together with the amount due the state on such part of said lands as have been sold.

On motion of Mr. Makley,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of making a reduction of one hundred per cent in all the fees allowed in chapter one hundred and fifty of the new Revised Statutes, except the fees of jurors and witnesses, and fees for publishing notices in newspapers.

Mr. Price gave notice that on some future day he should ask leave to introduce a bill for the relief of Joseph Miller.

Mr. Price offered the following resolution, which was not adopted:

*Resolved*, That the engrossing and enrolling clerk be and he is hereby authorized to appoint an assistant.

- Mr. Britain was excused, on his own request, from serving on the committee on state prison, and the Speaker appointed Mr. Turner as the chairman of the said committee.

Mr. Eaton gave notice that on some future day he should ask leave to introduce a bill to authorize Ziba L. Easton and Edward Rothwell to construct and keep up a dam across the Huron river at Rawsonville.

Mr. Price, from the committee on engrossment and enrollment, reported the following bills as correctly engrossed, and they were severally read the third time and passed, viz:

A bill to authorize the re-assessment of certain taxes in the township of Irving, in the county of Barry;

A bill to change the name of the village of Truago, in the county of Wayne; and

A bill to provide for the improvement of the state road leading from Byron, in the county of Shiawassee, to Lyons, in the county of Ionia.

The following message was received from the Senate :

SENATE CHAMBER, }  
Detroit, February 1, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit a "bill to extend the time for the collection of certain taxes in the township of Pittsford in the county of Hillsdale," which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Your obedient servant,

JA'S. E. PLATT,

*Sec'y. of Senate.*

The Senate bill to extend the time for the collection of certain taxes in the township of Pittsford, in the county of Hillsdale, was read twice, and

On motion of Mr. Noble,

The twenty-first and thirty-seventh rules were suspended, the bill was ordered to a third reading, read the third time and passed.

The House then resolved itself into committee of the whole on the general order, Mr. Turner in the chair.

And after some time spent thereon, the committee rose and by their chairman reported that they had had under consideration, a bill to define a homestead, and to exempt it from execution, on which they had made some progress, and asked and obtained leave to sit again.

The committee of the whole also reported back without amendment, a bill to amend chapter fifty-eight of the revised statutes of 1846, and a bill to organize certain townships in the counties of Marquette, Houghton, Schoolcraft and Ontonagon, and the committee were discharged from their further consideration.

Mr. Price, from the committee on engrossment and enrollment, reported that the bill to authorize the common council of the village of Adrian to confirm the appointment of certain firemen was correctly enrolled, and was this day presented to the Governor for his approval

On motion of Mr. Turner,

The House adjourned.

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*Tuesday, February 2, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Richards.

On calling the roll, Messrs. Kelsey and Knight were absent on leave, and Messrs. Bell, Davison, Harris, Jones, McFarlan, Noble, and C. H. Taylor were absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Hebard. Of John M. Lamb, N. B. Eldredge and forty-six others, for a new county by the name of Almont. Referred to the committee on the organization of townships and counties.



By Mr. Brooks. Of sundry citizens of St. Clair county, for the appointment of a special road commissioner, and for other purposes. Referred to the committee on roads and bridges.

By Mr. Harris. Of C. R. Moore, and others, for the relief of David McNemey, a settler on salt spring lands. Referred to the committee on public lands.

Also, of A. C. Van Raalte, and others, for the organization of a new township in the county of Ottawa. Referred to the committee on the organization of townships and counties.

By Mr. Barker. Of F. Brackbill, and sixty-three others, and also of B. Redding and twenty-five others, for a division and alteration of the townships of Niles and Bertrand. Same reference.

By Mr. Noble. Of N. N. Kendall, for the adjustment of a certain claim against the state. Referred to the committee on claims.

By Mr. Haydon. Of J. R. Baker, and thirty others, for authority to build a dam across the Paw Paw river. Referred to the committee on ways and means.

By Mr. Ferrington. Of David Maiden, Israel Rogers, and others of Oakland county, for a reduction in the price of certain university lands. Referred to the committee on public lands.

The following message was received from the Senate :

SENATE CHAMBER. }  
Detroit, February 1, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to respectfully inform you that the Senate adhere to their previous action upon the "preamble and joint resolutions on the existing war with Mexico," which are herewith returned, and that Senators Balch, McReynolds and Bush have been appointed a committee of conference on the part of the Senate upon the disagreement between the two Houses upon said preamble and joint resolutions, and that the appointment of a like committee on the part of the House is respectfully requested.

Your obedient servant,

JAS. E. PLATT,  
*Secretary of Senate.*

On motion of Mr. J. D. Pierce,

A committee of conference was ordered to be appointed on the part

of the House on the disagreement between the two Houses on the preamble and joint resolutions on the existing war with Mexico, and the Speaker appointed as such committee, Messrs. J. D. Pierce, Johnson and Barker.

On motion of Mr. Adam,

*Resolved*, That this House will, at eleven o'clock A. M., proceed to the nomination of Senator in Congress, in place of Hon. William Woodbridge, whose term will expire on the third of March next.

Mr. Goodrich gave notice that on some future day, he should ask leave to introduce a bill to incorporate the Kearsley branch railroad company.

Mr. Jones, pursuant to previous notice, asked and obtained leave to introduce a bill to consolidate the several acts relative to the village of Jackson, and for other purposes, which was read twice and referred to the committee on banks and incorporations.

Mr. Goodwin gave notice that on some future day he should ask leave to introduce a bill to incorporate a company to construct a turnpike or plank road from Marshall, in the county of Calhoun, to Lyons, in the county of Ionia.

Mr. D. Pierce, in pursuance of previous notice, asked and obtained leave to introduce a bill abolishing appeals from boards of supervisors and boards of county auditors, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. H. Mower, pursuant to previous notice, asked and obtained leave to introduce a bill to repeal the charter of the Kalamazoo Mutual Insurance Company, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Harris asked and obtained leave of absence for Mr. C. H. Taylor for the day.

The House then resolved itself into committee of the whole on the general order, Mr. Throop in the chair.

After some time, the committee rose, and by their chairman reported back to the House without amendment,

A bill to attach the township of Polk, in the county of Huron, to the township of Lexington, in the county of St. Clair, and also reported that they had had under consideration a bill to enable the township of Schoolcraft to accept the bequest of Franklin Howard, on

which they had made some progress. and asked and obtained leave to sit again thereon.

A committee from the Senate was announced, consisting of Senators Schwarz and Eldredge, who informed the House that the Senate had made a nomination for Senator in Congress, and were ready to meet the House in joint convention to compare nominations.

The Speaker announced that the hour had arrived which was designated in the resolution of this morning, for nominating a Senator in Congress, and the roll being called, the members of the House severally rose and nominated as follows :

FOR ALPHEUS FELCH.

Mr. Adam,	Mr. Goodrich,	Mr. Miller,
Arzeno,	Goodwin,	G. W. Moore,
Bell,	Goodyear,	Noble,
Britain,	Harris,	O'Malley,
Brown,	Hebard,	J. D. Pierce,
Coates,	Harrington,	Pond,
Culver,	Hollister,	Price,
Darrah,	Johnson,	Seeley,
Davison,	Jones,	Shaw,
Deming,	Kilborn,	Shook,
Driggs,	Kinne,	Throop,
Dyckman,	Lomis,	Turner,
Eaton,	Makley,	Upton,
Ferrington,	Marantette,	Van Duser,
Fralick,	McFarlan,	Walker,
Glen,	McGraw,	Speaker,
Goodell,		

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FOR WILLIAM WOODBRIDGE.

Mr. Barker,	Mr. Faxon,	Mr. D. Pierce,
Brooks,	Haydon,	R. nwick,
Chubb,	Jennings,	Seymour,
Clark,	Kelsev,	H. W. Taylor,
Edmunds,	H. Mower,	Truesdell,

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Alpheus Felch was thereupon declared to be nominated for the said office, on the part of the House.

On motion of Mr. Adam,

A committee of two was ordered to be appointed to inform the Senate that the House had made a nomination, were now ready to receive them in joint convention to compare nominations, and to conduct them to the House.

The Speaker appointed as such committee Messrs Adam and No-

ble, who, after a short absence, returned, and the Honorable the Senate of the State of Michigan was then announced, and conducted to seats.

PROCEEDINGS IN JOINT CONVENTION.

The Joint Convention was called to order by the President of the Senate, and rolls of the two Houses having been called, the Senators were all present ; the Representatives, with the exception of Messrs. Knight and C. H. Taylor, were all present.

The President of the Senate announced that the Senate had nominated Alpheus Felch as Senator in Congress for the term to commence on the fourth of March next.

The Speaker of the House made the like announcement in regard to the House.

Senator Fenton offered the following resolution which was unanimously adopted :

*Resolved, by the Senate and House of Representatives of the State of Michigan, in Joint Convention assembled, That Alpheus Felch be and he is hereby declared duly elected to the office of Senator in Congress for this State, for the official term to commence on the 4th day of March next, he having been openly nominated in each House by a majority of all the votes cast for said office.*

On motion of Senator Fenton,

The joint convention adjourned.

JAMES E. PLATT,

*Secretary of the Senate.*

A. W. HOVEY,

*Clerk House Reps.*

The Speaker called the House to order, and,

On motion of Mr. J. D. Pierce,

The House adjourned.

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*Wednesday, February 3, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Mr. Knight was absent on leave, and Messrs.

Bell, Britain, Darrah, Deming, Goodrich and Noble were absent without leave.

Mr. Turner asked and obtained leave of absence for Mr. Deming until Monday next.

Mr. Harrington for Mr. Noble until Friday.

Mr. Arzeno for Mr. Darrah for an indefinite time.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. J. D. Pierce. The claim of Charles T. Gorham, on account of a weight master's certificate. Referred to the committee on claims.

By Mr. Goodyear. Of Amasa G. Southard and others, citizens of Barry county, to attach town two, north of range nine west, to the township of Orangeville, in said county, for township purposes. Referred to the committee on the organization of townships and counties.

By Mr. Harris. Of Thomas Lynch, and of William Cummins, for preëmption rights to certain salt spring lands. Same reference.

By Mr. Clark. Of Gilbert Cole and twenty-six others, for the attaching of certain territory of the township of West Bloomfield, to the township of Waterford, in Oakland county. Same reference.

By Mr. Turner. Of Josiah Ward and sixty-nine others, citizens of Adrian, for the passage of a law authorizing the jury in all criminal cases, to bring in with a verdict of guilty, the amount of punishment to be inflicted. Referred to the committee on the judiciary.

Also, the memorial of A. R. Tiffany, relative to certain amendments to the revised laws of 1846. Same reference.

Also of A. W. Brown and one hundred and nineteen others, and of Stephen Allen and thirty-two others, citizens of Lenawee county, for the repeal of the charter of the Adrian Lyceum and Benevolent Association. Referred to the committee on banks and incorporations.

Mr. Adam, from the committee on ways and means, reported back the resolution instructing the committee to inquire into the expediency of so amending the present tax system that only legal interest may be required and collected by the state and her officers, and reported that such a change would be inexpedient.

The report was accepted and the committee discharged from the further consideration of the subject.

Mr. Adam, from the same committee, reported back the bill for the relief of the township of Manlius in Allegan county, and reported adverse to the passage of the same.

The report was accepted, the committee discharged, and the bill laid on the table.

The following communication was announced :

EXECUTIVE OFFICE, }  
Detroit, February 3, 1847. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State,

“ An act to authorize the common council of the village of Adrian to confirm the appointment of certain firemen.”

ALPHEUS FELCH.

On motion of Mr. Adam,

The committee on ways and means were discharged from the consideration of the petition of J. R. Baker and others for authority to build a dam across the Paw Paw river, and it was referred to the committee on roads and bridges.

Mr. Culver, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Union City Iron Company, in the county of Branch, which was read twice and referred to the committee on banks and incorporations.

Mr. Hollister gave notice that on some future day he should ask leave to introduce a bill to amend certain portions of the new revised statutes, which relates to courts held by justices of the peace.

The House then resolved itself into committee of the whole on the bill to define a homestead and to exempt it from execution, Mr. Turner in the chair.

After some time, the committee rose and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Adam,

*Resolved*, That the hour to which this House shall stand adjourned hereafter, shall be nine o'clock A. M., until otherwise ordered.

The following message was received from the Senate:

SENATE CHAMBER,  
Detroit, February 3, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to respectfully inform you that Senators McReynolds and Fenton have been appointed a committee on the part of the Senate to join a like committee on the part of the House to wait upon his excellency Alpheus Felch, and to inform him of his election to the office of United States Senator, and to respectfully ask the appointment of such a committee on the part of the House.

Also, to return the “bill to change the name of the village of Truago, in the county of Wayne,” and to respectfully inform you that the Senate have concurred therein.

Also, to return the “bill to authorize an assessment upon the estate of Joseph Baily deceased,” and to respectfully inform you that the Senate have nonconcurred therein.

Also to transmit a “bill to give immediate effect to chapter 119 of the revised statutes of 1846,” which the Senate have passed and in which the concurrence of the House is respectfully asked.

Also to inform you that Senator McReynolds has been excused from service upon the committee of conference on the disagreement between the two Houses upon the “preamble and joint resolutions on the existing war with Mexico,” and that Senator Thurber has been appointed upon said committee in his stead.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The bill to change the name of the village of Truago in the county of Wayne was ordered to be enrolled.

The Senate bill to give immediate effect to chapter one hundred and nineteen of the revised statutes of 1846, was read twice, when,

Mr. Upton moved a suspension of the rules that the House might now take up the bill, which motion was lost, and it was referred to the committee on banks and incorporations.

Mr. Turner moved that the House adjourn until three o'clock this afternoon, which motion was lost, and,

On motion of Mr. O'Malley,

The House adjourned.

*Thursday, February 4, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Darrah, Deming, Knight and Noble, were absent on leave, and Messrs. Bell, Chubb, Clark, Edmunds, Goodrich, Hollister, Jones, McGraw, G. W. Moore, O'Malley, Pond, Renwick, Seeley, Shook, Throop and Upton were absent without leave.

Mr. Price asked and obtained leave of absence for Mr. Upton for an indefinite period.

Mr. Lomis for Messrs. Clark and Seeley as above.

Mr. Miller for Mr. Pond as above.

The journal of yesterday was read and approved.

#### PETITIONS PRESENTED.

Mr. Harrington presented the petition of Samuel H. Davis and eighty-six other colored persons, asking the right of suffrage. Referred to the committee on state affairs.

#### REPORTS.

Mr. Fralick, from the committee on claims, reported back the petition of Ebenezer Wesbrook, for relief, and reported adverse to the prayer of the petition.

The report was accepted and the committee discharged from the further consideration of the subject.

Mr. Harris, from the committee on the organization of townships and counties, reported back the petition of citizens of the township of Watson, in the county of Allegan, for a change of the name of said township, and reported adverse to the prayer of the petition.

The report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Harris, from the same committee, made the following report, which was accepted, and the committee discharged from the further consideration of the subject :

The committee on the organization of towns and counties, to whom was referred the petition of the citizens of the county of Wayne for the passage of a law giving power to the board of auditors for said county to raise means to erect a new jail, have had the same under consideration, and make the following report :



The committee have ascertained from personal examination, that the present jail for said county, is in a dilapidated condition, and wholly unfit for such purpose, and that the grand jury of the county were perfectly justified in presenting the same as a nuisance at several different terms of the court; it is a nuisance, and unworthy so rich and prosperous a county as the county of Wayne. Criminals are liable to escape; and it has ceased to excite the fears of the lawless and depraved, and the peace and security of the citizens call loudly for a new jail.

The committee have also made some investigations in regard to the title to the soil on which the jail stands, in regard to which there are suits now pending; they have become convinced that it is a question of extreme doubt, so much so that they are unwilling to take the responsibility to advise the citizens of the county to enter into any expensive litigation, or controversy to defend the same, but rather to surrender it to the claimants without contention or difficulty.

The claims resting upon the title to the soil in and about the city of Detroit are extremely numerous, and are pressed by the claimants with great pertinacity and union of action; still they are not devoid of magnanimity in exacting the right of possession, and offers have frequently been made to grant the free use to the occupants for a term of years.

The committee were pained to discover that these claims extended not only to the title to the soil, but to most of the offices and public patronage in the state, thus making the city of Detroit a sort of hot house or kitchen garden, to nurse our state affairs, and in which to resuscitate and keep alive the withering branches of old hunkerism, which has too long flourished here. The people of other portions of the state have battled long and manfully for their rights, but have been foiled in every attempt. If then, the people of the young and *giant* state of Michigan, have been unable to resist the claims of the city of Detroit, what hope is there for the county of Wayne, in this jail controversy.

The committee would therefore recommend that the county throw itself upon the magnanimity of the city, and ask it to appropriate to the use of the county for a jail, this state house which we now occupy, and which it has generously offered to "the committee on the

location of the capitol" for five years free of charge : *Provided the legislature would locate the capitol in the city of Detroit.*

But as the people of the state wish to avoid the pernicious influences which are exerted here, and have determined to remove, they will not be under the necessity of accepting this magnanimous offer.

Your committee are of opinion that the committee on the organization of towns and counties is not the appropriate one to which this petition should be referred, and would suggest its reference to the committee on state affairs.

On motion of Mr. Adam,

The petition on which the foregoing report was founded, was referred to the committee on state affairs.

On motion of Mr. Johnson,

The report was referred to the same committee.

Mr. Goodwin, from the committee on banks and incorporations, reported back the Senate bill to incorporate the Chippewa Portage Company, with an amendment, which was concurred in ; and

The amendments made to the bill in committee of the whole were severally concurred in by the House.

On motion of Mr. J. D. Pierce,

The bill was then laid on the table.

Mr. Johnson, from the committee on banks and incorporations, reported back without amendment, the Senate bill to give immediate effect to chapter one hundred and nineteen of the revised statutes of 1846, and recommended its passage.

The report was accepted, and the bill ordered to a third reading.

Mr. Johnson, from the same committee, reported back the bill to incorporate the Union City Iron Company in the county of Branch, and recommended its passage.

The report was accepted, the bill referred to the committee of the whole, and placed on the general order.

Mr. Johnson, from the same committee reported a bill to repeal the village charter of the village of Pontiac, and a bill to repeal an act entitled an act to incorporate the Adrian Lyceum and benevolent association, which were read twice, referred to the committee of the whole and placed on the placed on the general order.

Mr. Goodwin, from the committee on elections, reported back the

resolution instructing the committee to inquire into the expediency of providing by law that every person offering to vote at any election shall, if required by an inspector of the election, or other qualified voter, take an oath that he has not directly or indirectly made any bet or wager on the result of the election at which he offers his vote, and reported adverse to any legislative action thereon.

The report was accepted and the committee discharged from the further consideration of the subject.

Mr. Throop, from the select committee on the location of the capitol, reported back, without amendment, the bill to locate the capitol pursuant to section nine of article twelve of the constitution of this state, and it was referred to the committee of the whole, and made the special order for Wednesday next.

Mr. Throop, from the same committee, also submitted a report on the subject, which he read, and it was,

On motion of Mr. Adam,

Laid on the table.

Mr. J. D. Pierce, from the same committee, also submitted a report on behalf of himself and Mr. Marantette, on the same subject, which was read, and it was,

On motion of Mr. Adam,

Laid on the table.

The following message was received from the Senate:

SENATE CHAMBER,  
*Detroit, February 3, 1847.*

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to return the “bill to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand River at Grand Rapids” which they have passed with amendments in which they respectfully ask the concurrence of the House.

Respectfully, &c.,

JAS. E. PLATT,  
*Secretary of Senate.*

The Senate amendments to the bill to authorize the supervisors of the county of Kent to construct a canal and locks around the Rapids of Grand River at Grand Rapids, were severally concurred in and the bill as amended was ordered to be enrolled.

The Speaker presented a communication from J. W. Brooks, Superintendent of the Michigan Central Railroad Company, asking an amendment to the charter of said company, which was read and referred to the committee on banks and incorporations.

Mr. Price, pursuant to previous notice, asked and obtained leave to introduce a bill for the relief of Joseph Miller, which was read twice and referred to the committee on public lands.

Mr. J. D. Pierce pursuant to previous notice, asked and obtained leave to introduce a bill to amend the charter of the Battle Creek and Grand Rapids Rail Road Company, which was read twice and referred to the committee on banks and incorporations.

Mr. Hollister, pursuant to previous notice, asked and obtained leave to introduce a bill to amend the new revised statutes, which was read twice and referred to the committee on the judiciary.

On motion of Mr. Arzeno,

Leave was granted to John M. Morrow to withdraw from the files of this House, the papers relative to his claim.

On motion of Mr. Johnson,

The following resolution was taken from the table :

*Resolved*, That Samuel W. Hill, the contestant for a seat in this House in the place of Elisha G. Seymour, be paid his mileage and per diem allowance from the commencement of the session up to the time of the determination of the question by the House, and that a certificate therefor be signed by the Speaker of the House.

And after some discussion, Mr. Chubb moved to lay the resolution on the table, which motion was lost, and the resolution adopted by the following vote :

#### YEAS.

Mr. Arzeno,  
Barker,  
Britain,  
Brown,  
Coates,  
Culver,  
Davison,  
Driggs,  
Dyckman,  
Eaton,  
Farrington,  
Glen,  
Goodrich,  
Goodwin,

Mr. Goodyear,  
Haydon,  
Heburd,  
Harrington,  
Hollister,  
Johnson,  
Jones,  
Kinne,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,

Mr. Miller,  
G. W. Moore,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Price,  
Shaw,  
Shook,  
C. H. Taylor,  
Turner,  
Van Duser,  
Walker,  
Speaker,

## NAYS.

Mr. Adam,  
Brooks,  
Chubb,  
Edmunds,  
Faxon,

Mr. Fralick,  
Goodell,  
Jennings,  
Kelsey,

Mr. Kilborn,  
H. Mower,  
Throop,  
Truesdell,

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Mr. Turner moved that when this House adjourn, it will adjourn to meet at two o'clock P. M., which motion was lost.

On motion of Mr. Harrington,

The bill to attach the township of Polk in the county of Huron, to the township of Lexington in the county of St. Clair, was taken from the table, and on his motion it was amended by striking out of the second line of section one, the words "township of Polk in the," and by inserting after the word "judicial," in the third line, the words "representative and township;" and also by adding a new section to stand as section 2, as follows :

"Sec. 2. The act organizing the township of Polk in the county of Huron is hereby repealed."

On motion of Mr. Adam,

The word "town" was stricken out of the second line of section one, and "township" inserted, and the words "from and after its passage," were stricken out of the third section, and "on and after the first Monday in April next," inserted.

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. H. Mower,

The joint resolutions to amend the constitution of this state, were taken from the table, and

On motion of Mr. Adam,

They were referred to the committee on state affairs.

The Senate bill to give immediate effect to chapter one hundred and nineteen of the revised statutes of 1946, was read the third time and passed.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly enrolled, the bill to change the name of the village of Truago, in the county of Wayne, and that the same was this day presented to the Governor for his approval.

On motion of Mr. C. H. Taylor,

The House adjourned.

*Friday, February 5, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Clark, Darrah, Deming, Dyckman, Knight, Noble, Pond, Seeley and Upton, were absent on leave, and Messrs. Goodrich, Goodwin, Haydon, Harrington, Johnson, Jones, Kilborn, Marantette, Renwick and Throop, were absent without leave.

Mr. Edmunds asked and obtained leave of absence for Mr. Renwick until Tuesday next.

Mr. Adam for Mr. Harrington for an indefinite period.

The journal of yesterday was read and approved.

#### PETITIONS PRESENTED.

By Mr. Arzeno. Of Harry V. Mann, for the payment of a claim against the southern railroad. Referred to the committee on claims.

#### REPORTS.

Mr. Harris, from the committee on the organization of townships and counties, reported back certain petitions asking for the formation of a new county, to be called Almont, and reported adverse to the prayer of the petitions.

The report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Goodwin, from the committee on state affairs, reported a bill to authorize the board of auditors of Wayne county to build a jail, and

A joint resolution to amend the constitution, which were read twice, referred to the committee of the whole and placed on the general order.

The following message was received from the Senate :

SENATE CHAMBER, }  
Detroit, February 4, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit a "bill to restore certain forfeited rights to A. Hamilton Smith and Dempster B Wood," and

A "bill to provide for the settlement of the claims of supervisors of the several townships within this state," which the Senate have

passed, and in which they respectfully ask the concurrence of the House.

Also to return the "joint resolution relative to the settlement of the claim of John M. Morrow," which the Senate have adopted with amendments, in which they respectfully ask the concurrence of the House.

Your obedient servant,

JA'S. E. PLATT,

*Sec'y. of Senate.*

The Senate bill to restore certain forfeited rights to A. Hamilton Smith and Dempster B. Wood, was read twice and referred to the committee on public lands.

The Senate bill to provide for the settlement of the claims of supervisors of the several townships within the state, was read twice and referred to the committee on claims.

The Senate amendments to the joint resolution relative to the settlement of the claim of John M. Morrow, was concurred in by the House, and the joint resolution as amended was ordered to be enrolled.

On motion of Mr. Britain,

The twentieth rule was suspended to enable him to introduce a bill to provide for the payment of Samuel W. Hill, while claiming a seat in the House of Representatives, which was read twice, and ordered to be engrossed for a third reading.

On motion of Mr. Adam,

The twenty-first rule was suspended, and the engrossment of the bill having been dispensed with, it was read the third time, when

Mr. Chubb moved to commit the bill to the committee on claims, with instructions to strike out all after the enacting clause, which motion was lost, and the bill was passed.

Mr. Van Duzer gave notice that on some future day he should ask leave to introduce a bill to incorporate the village of Hillsdale.

Mr. Chubb offered the following resolution, which was not adopted :

*Resolved,* That when this House adjourn, it will adjourn to meet at half past two o'clock this afternoon, and that from and after this day there shall be two daily sessions, the morning session to com-

mence at nine o'clock A. M., and the afternoon session at half past two o'clock P. M., during the remainder of the session.

Mr. Goodwin gave notice that on some future day he should ask leave to introduce a bill to amend the charter of the Marshall and Union City plank road company.

Mr. H. Mower moved a suspension of the twentieth rule, to enable him to ask leave to introduce a bill, previous notice not having been given, which motion was lost.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed, the bill to attach the township of Polk in the county of Huron, to the township of Lexington in the county of St. Clair, and it was read the third time, and the question being on its passage, it was not passed by the following vote, two-thirds not voting in the affirmative :

## YEAS.

Mr. Adam,  
Barker,  
Bell,  
Brooks,  
Brown,  
Coates,  
Culver,  
Davison,  
Dyckman,  
Faxon,  
Ferrington,

Mr. Glen,  
Goodell,  
Goodrich,  
Goodyear,  
Harris,  
Hebard,  
Hollister,  
Jennings,  
Kilborn,  
Lomis,  
Makley,

Mr. Marantette,  
McGraw,  
Miller,  
O'Malley,  
Price,  
Seymour,  
Shook,  
C. H. Taylor,  
Turner,  
Walker,  
Speaker, 33

## NAYS.

Mr. Arzeno,  
Britain,  
Chubb,  
Driggs,  
Edmunds,  
Fralick,  
Goodwin,

Mr. Haydon,  
Jones,  
Kelsey,  
Kinne,  
McFarlan,  
G. W. Moore,

Mr. H. Mower,  
D. Pierce,  
Shaw,  
H. W. Taylor,  
Truesdell,  
Van Duser, 19

Mr. Goodrich, from the select committee on the location of the capitol, submitted a report on that subject, which was read, and

On motion of Mr. Adam,

The several reports submitted by the members of the select committee, were ordered to be printed.

Mr. Turner moved a reconsideration of the vote by which the reports were ordered to be printed, which motion, under rule twenty-seven, lies on the table at least one day.



On motion of Mr. Adam,

The twenty-seventh rule was suspended, and the question being on the motion to reconsider, it was decided in the negative.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, February 5, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the “bill to provide for the payment of Samuel W. Hill, while claiming a seat in the House of Representatives,” which the Senate have passed.

Your obedient servant,

JAMES E. PLATT,

*Sec'y. of Senate.*

The bill to provide for the payment of Samuel W. Hill while claiming a seat in the House of Representatives was ordered to be enrolled.

The House then resolved itself into committee of the whole on the bill to define a homestead, and to exempt it from execution, Mr. Turner in the chair.

After some time, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

Mr. Price, from the committee on engrossment and enrollment, reported that the bill to provide for the payment of Samuel W. Hill, while claiming a seat in the House of Representatives, was correctly enrolled, and was this day presented to the Governor for his approval.

Mr. Miller offered the following resolution :

*Resolved*, That when this House adjourn, it will adjourn to meet on Monday next at nine o'clock.

On motion of Mr. Britain,

The resolution was amended by striking out the word “nine” and inserting “ten.”

Mr. Adam moved to strike out “Monday” and insert “Wednesday,” which motion was lost.

Mr. Truesdell moved to strike out “Monday” and insert “Tuesday,” which motion was lost.

The question then recurring on the adoption of the resolution, it was decided in the negative by the following vote :

## YEAS.

Mr. Arzeno,  
Barker,  
Davison,  
Goodrich,  
Harris,  
Haydon,

Mr. Hebard,  
Lomis,  
Makley,  
McFarlan,  
McGraw,  
Miller,

Mr. G. W. Moore,  
O'Malley,  
J. D. Pierce,  
Seymour,  
Speaker,

17

## NAYS.

Mr. Adam,  
Britain,  
Brown,  
Coates,  
Culver,  
Driggs,  
Dyckman,  
Faxon,  
Fralick,  
Glen,

Mr. Goodell,  
Goodwin,  
Goodyear,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kilborn,  
Kinne,  
Marantette,

Mr. H. Mower,  
D. Pierce,  
Price,  
Shaw,  
Shook,  
H. W. Taylor,  
Truesdell,  
Turner,  
Van Duser,  
Walker, 30

Mr. Goodrich, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Kearsley Branch Railroad Company, which was read twice and referred to the committee on banks and incorporations.

The following message was received from the Executive:

EXECUTIVE OFFICE,  
*Detroit, February 5, 1847.* }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, "an act to change the name of the village of Truago, in the county of Wayne."

Also, "an act to provide for the payment of Samuel W. Hill while claiming a seat in the House of Representatives."

ALPHEUS FELCH.

Mr. J. D. Pierce moved an adjournment, but the House refused to adjourn.

Mr. H. Mower gave notice that on some future day he should ask leave to introduce a bill to amend an act for the encouragement of agriculture, approved March 1, 1844.

Mr. Turner moved that the House adjourn till three o'clock this afternoon, which motion was lost.

On motion of Mr. Johnson,

The House adjourned.

*Saturday, February 6, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Clark, Darrah, Deming, Harrington, Knight, Pond, Renwick, Seeley and Upton were absent on leave, and Messrs. Britain, Chubb, Eaton, Edmunds, Noble and Price, were absent without leave.

Mr. Lomis asked and obtained leave of absence for Mr. Price for an indefinite time.

Mr. H. W. Taylor moved that leave of absence be granted to all members of the House who wished to avail themselves of such privilege until Tuesday next, which motion was lost by the following vote:

YEAS.

Mr. Arzeno,  
Barker,  
Bell,  
Brooks,  
Harris,  
Haydon,  
Hebard,

Mr. Johnson,  
Jones,  
Kelsey,  
Makley,  
Miller,  
G. W. Moore,  
H. Mower,

Mr. J. D. Pierce,  
Seymour,  
Shaw,  
C. H. Taylor,  
H. W. Taylor,  
Van Duser,  
20

NAYS.

Mr. Adam,  
Brown,  
Coates,  
Culver,  
Davison,  
Driggs,  
Dyckman,  
Faxon,  
Ferrington,  
Fralick,  
Glen,

Mr. Goodell,  
Goodrich,  
Goodwin,  
Goodyear,  
Hollister,  
Jennings,  
Kilborn,  
Kinne,  
Lomis,  
Marantette,

Mr. McFarlan,  
McGraw,  
O'Malley,  
D. Pierce,  
Shook,  
Throop,  
Truesdell,  
Turner,  
Walker,  
Speaker,  
31

Mr. D. Pierce asked for leave of absence for Mr. Edmunds till Tuesday next, pending which,

Mr. Johnson moved that the House adjourn, which motion was decided in the negative,

And the question recurring on the motion to grant leave of absence to Mr. Edmunds, it was granted by the following vote :

YEAS.

Mr. Arzeno,  
Brooks,

20

Mr. Hebard,  
Jennings,

Mr. Seymour,  
Shaw,

Brown,  
Coates,  
Dyckman,  
Faxon,  
Fralick,  
Glen,  
Goodrich,  
Goodyear,

Kelsey,  
Kinne,  
Makley,  
McFarlan,  
McGraw,  
G. W. Moore,  
H. Mower,

C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Turner,  
Walker,  
Speaker.

28

## NAYS.

Mr. Adam,  
Barker,  
Bell,  
Culver,  
Davis n,  
Driggs,  
Ferrington,  
Goodell,

Mr. Goodwin,  
Harris,  
Haydon,  
Hollister,  
Johnson,  
Jones,  
Kilborn,  
Lomis,

Mr. Marantette,  
Miller,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Shook.  
Van Duser,

23

The journal of yesterday was read and approved.

## PETITIONS PRESENTED.

By Mr. Harris. Of Timothy B. Lillie, and forty others, for the organization of a new township, in the county of Ottawa. Referred to the committee on the organization of townships and counties.

By Mr. McFarlan. Of fourteen inhabitants of the town of Redford Wayne county, for the repeal of the charter of the Detroit and Grand River plank road company. Referred to the committee on banks and incorporations.

By Mr. Kelsey. Of H. C. Woodward, and forty-three others, for the incorporation of a company to construct a plank road from Pontiac to the village of Corunna. Same reference.

By Mr. Britain. The remonstrance of George Essick and seventy-three others, against holding the probate court of Berrien county at Niles. Referred to the committee on state affairs.

Mr. Turner moved a reconsideration of the vote by which the bill to attach the township of Polk, in the county of Huron, to the township of Lexington, in the county of St. Clair, was lost on its passage, and rule twenty-seven having been suspended, the vote was reconsidered; and

On motion of Mr. Britain,

The bill was laid on the table.

Mr. Hollister gave notice that on some future day, he shall ask leave to introduce a bill to provide for the protection of wives and

families against the effects of injudicious endorsing and indemnity as security.

On motion of Mr. Goodwin,

*Resolved*, That the select committee on geological surveys be instructed to inquire into the expediency of suspending all further operations under the act of 1846, providing for the publication of a state map, and maps of the several counties of the state, under the direction of the state geologist; and that they be also instructed to inquire and report to this House, what progress has been made towards the publication of said maps, and how much money, if any, has been paid into the state treasury from the sale of said maps as have been heretofore published, and in whose hands the maps and moneys arising from their sale, now are.

Mr. H. Mower, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act for the encouragement of agriculture, approved March 2, 1844, which was read twice and referred to the committee on agriculture and manufactures.

Mr. Van Duser, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the village of Hillsdale, which was read twice and referred to the committee on banks and incorporations.

On motion of Mr. Goodwin,

*Resolved*, That the committee on banks and incorporations be instructed to inquire into the expediency of passing a general law in relation to plank roads, so that they may be made without special acts of incorporation.

Mr. Truesdell gave notice that on some future day he should ask leave to introduce a bill to abolish the office of state printer.

The House then resolved itself into committee of the whole on the general order, Mr. O'Malley in the chair.

And after some time, the committee rose and by their chairman reported back a bill relative to an appropriation on the Detroit and Grand River road with an amendment, in which the concurrence of the House was asked, and joint resolutions relative to a petition of the Chippewa Indians, which they reported back without amendment, when

Mr. Seymour moved that the joint resolutions be recommitted to the committee on federal relations, with instructions to so amend them as to ask the extension of the privileges prayed for in the petition of the Chippewa Indians to all other Indians within this state, who are occupying and cultivating the soil, and who have advanced equally with them in education and civilization.

On motion of Mr. Turner,

The instructions were amended by striking out all after the word "soil," and

The question then recurring on the motion to recommit, it prevailed.

The amendment made in committee of the whole to the bill relative to an appropriation on the Detroit and Grand River road, was concurred in, and

On motion of Mr. Jennings,

The bill was laid on the table.

On motion of Mr. Johnson,

All bills making appropriations of internal improvement lands, now in the House, or hereafter to be introduced, were made the special order for Monday, the fifteenth inst.

The following communication was announced:

OFFICE OF BOARD OF STATE AUDITORS, ON LAND CLAIMS, }  
Detroit, February 5th, 1847. }

*Hon. GEORGE W. PECK, Speaker House of Representatives:*

SIR—In answer to the resolution forwarded through the clerk of your body, on the 28th ult., asking for information relative to the action of this board in the matter of the claims of Job Brookfield, Cyrus Dana and R. C. Paine, to a certain tract of land, we respectfully report:

That a claim was made to this board by the said Dana and Paine, claiming under Cephas Mills, and that the board decided that they had no legal or equitable claim to said land, for the following reasons:—First, on the ground that the contract they held against the state for said lands had been forfeited by a forfeiture to pay on the part of the assignees;—and secondly, because they were not within the meaning of the law of 1845. That there was proof that Mills, while he held the assignment, paid the instalments due thereon to the state, amounting to several hundreds of dollars, until, by failing to do so accord-

ing to law, he forfeited all his right to the lands contemplated in said contract;—that it did appear that said Brookfield had once made an assignment of said contract to said Mills, and that the board did decide that it had no power to grant relief to said Mills or his assignees, against the forfeiture of the contract, subsequent to such payments, for non-payment to the state of other instalments of purchase money,—that it did appear in proof, that said Mills was in possession of said land for a time after it had been assigned to him by said Brookfield; but that he afterwards abandoned said possession to said Brookfield on the failure of the title to the land he had given to said Brookfield for said contract with the state;—that it was in proof before the board that the consideration paid by said Mills to said Brookfield for said contract was valueless, and that said assignment was effected by misrepresentations on the part of said Mills, as will appear by the papers of said Brookfield; and that said board awarded to said Brookfield his claim upon the ground that the land was the legal property of the state, and that said Brookfield's claim was within the meaning of the law of 1845. The accompanying papers contain all the evidence before the board on the determination of said claims.

We are, very respectfully,

Your obedient servants,

ABIEL SILVER,

*Com'r. State Land Office.*

HENRY N. WALKER,

*Attorney General.*

On motion of Mr. Noble,

The communication and accompanying documents were referred to the committee on the judiciary.

On motion of Mr. Johnson,

The House adjourned.

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*Monday, February 8, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Clark, Darrah, Deming, Edmunds,

Harrington, Pond, Price, Renwick, Seeley and Upton, were absent on leave, and Messrs. Arzeno, Britain, Brooks, Chubb, Goodrich, Goodwin, Johnson, McFarlan, H. Mower, Noble, O'Malley, Throop, Turner and Walker were absent without leave.

The journal of Saturday was read and approved.

#### PETITIONS PRESENTED.

By Mr. Adam. Of James Field and six hundred and twenty-four others, for the incorporation of a company to construct a plank road from Adrian to Coldwater. Referred to the committee on banks and incorporations.

By Mr. Coates. Of Isaac Barns and others, for an appropriation on the state road leading from Gull Prairie to Grand Rapids. Referred to the committee on internal improvement.

Also, two remonstrances of citizens of the township of Watson, Allegan county, against a change of the name of said township. Referred to the committee on the organization of townships and counties.

By Mr. Kilborn. Of Orrin Whitmore and eighty-two others, for an appropriation on the Detroit and Grand River road. Referred to the committee on internal improvement.

#### REPORTS.

Mr. Glen, from the committee on public lands, reported back the memorial of Wilson H. Stout, in regard to the purchase of certain school lands, and reported that no legislative action was necessary.

The report was accepted and the committee discharged from the further consideration of the subject.

On motion of Mr. Adam,

Leave was granted to the petitioner to withdraw his papers from the files of the House.

Mr. Adam, from the select committee on the geological survey, submitted a report relative to the publication of a final report on the geology of Michigan, which was read, accepted and the committee discharged from the further consideration of the subject.

On motion of Mr. J. D. Pierce,

The report was referred to the committee of the whole and ordered to be printed.

Mr. Fralick gave notice that on some future day he should ask leave to introduce a bill to amend chapter ninety-three of the revised statutes of 1846, entitled of courts held by justices of the peace.



Mr. Kelsey gave notice that on some future day he should ask leave to introduce a bill to incorporate a company to construct a plank road from Pontiac to the village of Corunna, in Shiawassee county.

The House then resolved itself into committee of the whole on the bill to enable the township of Schoolcraft to accept the bequest of Franklin Howard, Mr. Throop in the chair, and after some time the committee rose, and by their chairman reported the bill back with amendments, in which the concurrence of the House was asked, and

The amendments were concurred in, in gross, and the bill ordered to be engrossed for a third reading.

The House then went into committee of the whole on the general order, Mr. Fralick in the chair.

After some time the committee rose and by their chairman reported back with amendments in which the concurrence of the House was asked,

A bill for relief of Asa Pratt;

A bill to incorporate the Detroit River Marine Railway Company;

A bill to amend the revised statutes of 1846, concerning the assessment and collection of taxes;

A bill to incorporate the Union City Iron Company, in the county of Branch; and

A bill to repeal the village charter of the village of Pontiac.

The committee also reported back without amendment,

A bill to repeal the charter of the Kalamazoo Mutual Insurance Company;

A bill abolishing appeals from boards of supervisors and boards of county auditors; and

A joint resolution for the relief Harvey Sherman.

The amendments made in committee of the whole to the bill for the relief Asa Pratt, and to the bill to incorporate the Union City Iron Company in the county Branch, were severally concurred in by the House and the bills ordered to be engrossed and read the third time.

The amendments to the bill to incorporate the Detroit River Marine Railway Company, were severally concurred in, and

On motion of Mr. Britain,

The bill was further amended by adding the following, to stand as section ten:

“Sec. 10. This act shall be subject to the provisions of chapter fifty-five of the revised statutes of 1846, and such amendments as may from time to time be made thereto.”

The bill was then ordered to be engrossed and read the third time.

The amendments to the bill to amend the revised statutes of 1846, concerning the assessment and collection of taxes, were severally concurred in, when,

Mr. Bell moved to recommit the bill to the committee on ways and means, with instructions to amend the bill so as to have the unpaid taxes which may be returned by the township treasurers, payable only at the county treasurer's office of the proper county, pending which,

On motion of Mr. Haydon,

The bill was laid on the table.

The amendments to the bill to repeal the village charter of the village of Pontiac, were concurred in, and

On motion of Mr. Johnson,

The bill was laid on the table.

Mr. Goodrich moved that the joint resolution for the relief of Harvey Sherman be referred to the committee on public lands, pending which,

On motion of Mr. Eaton,

It was laid on the table.

On motion of Mr. J. D. Pierce,

The bill to repeal the charter of the Kalamazoo Mutual Insurance Company was laid on the table.

The bill abolishing appeals from the boards of supervisors and boards of county auditors was ordered to be engrossed, and read the third time.

Mr. Britain asked and obtained leave of absence for Mr. Brooks for an indefinite time.

Mr. Adam, by unanimous consent, presented the petition of E. B. Bostwick and one hundred and six others, for the incorporation of a company to construct a canal around the falls of Ste. Marie, and the proceedings of a meeting held in the city of Detroit in relation to that subject, and the petition and proceedings were laid on the table.

Mr. Knight, by unanimous consent, and pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act to lay out a state road, approved March 6, 1844, which was read twice and referred to the committee of the whole.

Mr. Noble, by unanimous consent, presented the petition of A. A. Robinson for authority to build a dam across the River Raisin, which was referred to the committee on roads and bridges.

Mr. Noble, from the committee on the judiciary, by unanimous consent, reported a bill for the relief of Thaddeus Smith, and a bill to change the name of John McIvor, which were read twice, referred to the committee of the whole and placed on the general order.

Mr. Britain, by unanimous consent, gave notice that on some future day he should ask leave to introduce a bill to provide for the improvement of the Paw Paw river.

Mr. Britain, from the committee on ways and means, by unanimous consent, reported a bill to authorize the highway commissioners of Benton township to re-assess certain delinquent non-resident taxes, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Seymour, by unanimous consent, presented the petition of C. G. Hammond, A. S. Porter, and others, for the passage of a law providing for the survey and laying out of roads in the Upper Peninsula, which was referred to the committee on roads and bridges.

On motion of Mr. J. D. Pierce,  
The House adjourned.

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*Tuesday, February 9, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Brooks, Clark, Darrah, Harrington, Pond, Price, Turner and Upton were absent on leave, and Messrs. Arzeno, Goodwin, Kelsey, Noble and O'Malley were absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Adam. Of J. W. Holmes, and one hundred and four oth-

ers, inhabitants of Blissfield, Lenawee county, for the passage of a law to provide for the draining of the Cottonwood Swamp, in that and the adjoining towns Referred to the committee on state affairs

Also, of the stockholders of the Cottonwood Swamp Turnpike Company, for authority to extend their road west of Blissfield. Referred to the committee on banks and incorporations.

By Mr. Deming. Of M. Bennett and seventy other citizens of Lenawee county, for the incorporation of a company to construct a plank road from Adrian to Jonesville. Same reference.

By Mr. Hebard. Of citizens of Lapeer county, for the repeal of the law which provides for the expenditure of certain non-resident highway taxes on the northern wagon road. Referred to the committee on roads and bridges.

#### REPORTS.

Mr. J. D. Pierce, from the committee on federal relations, reported back the joint resolutions relative to a petition of the Chippewa Indians, amended in accordance with the instructions, which amendment was concurred in, and the joint resolutions were ordered to be engrossed for a third reading.

Mr. Shaw, from the committee on agriculture and manufactures, reported back, without amendment, and recommended its passage, the bill to amend an act entitled an act for the encouragement of agriculture, approved March 2, 1844, and it was referred to the committee of the whole and placed on the general order.

Mr. Glen, from the committee on public lands, submitted the following report, which was read, accepted, and the committee discharged from the further consideration of the subject :

The committee on public lands, to whom was referred a resolution instructing them to report to this House as soon as practicable, the number of acres of state building lands unsold, their probable value, together with the amount due the state on such part of said lands as have been sold, do make the following report :

The whole number of acres of land selected for state building purposes, is	2,900.72-100
Number of acres that have been sold,	2,095.18-100
Number of acres remaining unsold,	<u>805.54-100</u>

2,095.18-100 acres sold for	\$19,371 71
Amount received on account of principal,	10,258 30
Principal unpaid,	<u>\$9,113 41</u>
Amount of principal received,	\$10,258 30
Amount of interest and penalties received,	1,704 95
Total receipts,	<u>\$11,963 25</u>
Amount of principal unpaid,	9,113 41
805.54-100 acres unsold at the minimum price, \$8 per acre,	<u>6,444 32</u>
Sum total of state building fund,	\$27,520 98

All which is respectfully submitted, &c.

Mr. Hebard, from the committee on roads and bridges, reported a bill to authorize Drusus Hodges to erect a dam across the Paw Paw river in the county of Van Buren, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Haydon, pursuant to previous notice, asked and obtained leave to introduce a bill making appropriations for improving the navigation of the Paw Paw river, in the county of Van Buren, which was read twice, referred to the committee of the whole, and placed on the special order for Monday next.

Mr. Throop asked and obtained the unanimous consent of the House, previous notice not having been given, to introduce a bill to amend the revised statutes of 1846, in relation to absent debtors, which was read twice and referred to the committee on the judiciary.

Mr. Miller gave notice that on some future day he should ask leave to introduce a bill to provide for the improvement of the Detroit and Saginaw turnpike between Flint and Saginaw.

Mr. Lomis gave notice that on some future day he should ask leave to introduce a bill to amend section five of chapter twenty-three of the revised statutes of 1846, entitled of persons liable to work on highways, and making assessment therefor.

Mr. Britain, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for laying out and establishing several state roads, which was read twice, referred to the committee of the whole, and placed on the special order for Monday next.

On motion of Mr. Britain,

All bills on the special order for Monday next, were ordered to be printed.

Mr. Hollister, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for the protection of wives and families against the effects of injudicious endorsing or signing as security, which was read twice, and referred to the committee on the judiciary.

Mr. C. H. Taylor gave notice that on some future day he should ask leave to introduce a bill to allow Cyprian S. Hooker to erect a dam across Flat river in the county of Kent.

Mr. Goodyear gave notice that on some future day he should ask leave to introduce a bill for the improvement of a certain state road in Barry county.

Mr. Driggs gave notice that on some future day he should ask leave to introduce a bill to provide for the improvement of the St. Joseph river.

Mr. Goodwin, pursuant to previous notice, asked and obtained leave to introduce a bill to amend the charter of the Marshall and Union City Plank Road Company, which was read twice and referred to the committee on banks and incorporations.

On motion of Mr. Adam,

The petition of E. B. Bostwick and others, for the incorporation of a company to construct a ship canal around the falls of Ste. Marie, and the proceedings of a meeting in relation thereto, together with the following resolution, were taken from the table :

*Resolved*, (two-thirds of the House concurring,) That the committee on banks and incorporations be, and they are hereby instructed, to report to this House, with all convenient speed, a bill to incorporate a company for the construction of a ship canal around the falls of Ste. Marie.

And the question being on the adoption of an amendment offered by Mr. Goodrich, it was withdrawn by the mover.

The question then recurring on the adoption of the resolution,

Mr. Goodwin moved that the committee on banks and incorporations be excused from voting, but the House refused to excuse them.

Mr. Noble offered the following substitute for the resolution, which was rejected :

*Resolved*, That the committee on banks and incorporations be, and they are hereby instructed to inquire into the expediency of incorporating a company for the construction of a ship canal around the falls of Ste. Marie, and to report thereon by bill or otherwise.

On motion of Mr. Edmunds,

The original resolution was amended by striking out the words "two-thirds of this House concurring."

The resolution was then adopted by the following vote:

## YEAS.

Mr. Adam,  
Bell,  
Britain,  
Brown,  
Chubb,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,  
Glen,  
Goodell,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,  
Miller,

Mr. G. W. Moore,  
H. Mower,  
Noble,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Renwick,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Van Duser,  
Walker,  
Speaker,

55

## NAYS.

Mr. Barker,

Mr. Harris,

Mr. Kinne,

3

On motion of Mr. Goodwin,

The proceedings of the meeting, together with the petition taken from the table with the resolution, were referred to the committee on banks and incorporations.

Mr. Britain, by unanimous consent, presented the petition of C. S. Dunbar and others, relative to the pay of members of the legislature. Referred to the committee on state affairs.

Also, the remonstrance of J. N. Rogers and forty-nine other inhabitants of St. Joseph, against holding probate courts at Niles. Same reference.

On motion of Mr. Britain,

The petition of S. W. B. Chester and others, for the holding of the

probate courts of Berrien county at Niles, was taken from the files of the House, and referred to the committee on state affairs.

Mr. Fralick gave notice that on some future day he should ask leave to bring in a bill to amend chapter twenty-eight of the revised statutes of 1846, entitled of support of poor persons by counties.

Mr. Seeley, by unanimous consent, presented the petition of Sloan Cooley and forty-one others, for authority to Prosper Bunyea to keep up a mill dam across the Huron river in the township of White Lake, Oakland county, which was referred to the committee on roads and bridges.

Mr. Driggs, from the committee on engrossment and enrollment, reported that the bill to authorize the supervisors of the county of Kent to construct a canal and locks around the Rapids of Grand River at Grand Rapids, was correctly enrolled, and was this day presented to the Governor for his approval.

Mr. Driggs, from the same committee, also reported that the following bills were correctly engrossed:

A bill to incorporate the Detroit River Marine Railway Company;

A bill to incorporate the Union City Iron Company, in the county of Branch;

A bill to enable the township of Schoolcraft to accept the bequest of Franklin Howard;

A bill abolishing appeals from boards of supervisors and boards of county auditors; and

A bill for the relief of Asa Pratt.

The bill to incorporate the Union City Iron Company, in the county of Branch, was read the third time, and

On motion of Mr. Adam,

Recommitted to the committee on engrossment and enrollment.

The bill to enable the township of Schoolcraft to accept the bequest of Franklin Howard;

The bill for the relief of Asa Pratt; and

The bill abolishing appeals from boards of supervisors and boards of county auditors, were severally read the third time and passed.

The bill to incorporate the Detroit River Marine Railway company, was read the third time, when

Mr. Britain moved to recommit the bill to the committee on banks



and incorporations, with instructions to strike out the tenth section, and to add to the eight section, "and such amendments as may from time to time be made thereto," which motion was lost, and the question recurring on the passage of the bill, it was passed by a two-thirds vote, as follows:

## YEAS.

Mr. Adam,  
Barker,  
Britain,  
Brown,  
Coates,  
Culver,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,  
Goodell,  
Goodrich,  
Goodyear,

Mr. Goodwin,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlin,  
McGraw,

Mr. Miller,  
G. W. Moore,  
Noble,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Renwick,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
H. W. Taylor,  
Throop,  
Truesdell,  
Van Duzer,  
Walker,  
Speaker,

53

## NAYS.

Mr. Darrah,

Mr. Glen,

Mr. C. H. Taylor, 3

The House then resolved itself into committee of the whole on the bill to define a homestead, and to exempt it from execution, Mr. Goodrich in the chair.

And after some time, the committee rose, and by their chairman reported the bill back with sundry amendments, in which the concurrence of the House was asked.

On motion of Mr. Adam,

The bill and amendments were made the special order for Friday next.

On motion of Mr. C. H. Taylor, the House adjourned.

*Wednesday, February 10, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Brooks, Clark, Pond and Turner were absent on leave, and Messrs. Britain, Darrah, Goodwin, Harrington, Johnson, Kinne, H. Mower and Van Duser, were absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. H. W. Taylor. Of George Hentig, for compensation for six acres of land taken for the Central Railroad. Referred to the committee on claims.

By Mr. Adam. Of Peter Morey, relative to his claim for services rendered the state. Same reference.

By Mr. Chubb. Of sixty inhabitants of the county of Washtenaw for the passage of a law providing for single representative districts. Referred to the committee on state affairs.

By Mr. H. Mower. Of U. Upjohn, and others, for a homestead exemption. Laid on the table.

By Mr. J. D. Pierce. Of E. M. Kingsbury and thirty others, concerning certain roads in Eaton county. Referred to the committee on roads and bridges.

By Mr. Price. Of the trustees of the first society of the Methodist Episcopal Church, in the township of Washington, Macomb county, relative to a certain piece of state land. Referred to the committee on public lands.

By Mr. Johnson. A communication from the board of supervisors of Jackson county, relative to the location of the capitol. Read and laid on the table.

By Mr. Fralick. A communication from the board of Auditors of Wayne county, relative to the same subject. Read and laid on the table.

By Mr. Kilborn. A communication and documents from James Seymour, relative to the same subject. Read and laid on the table.

By Mr. Upton. Petition and proposal of citizens of De Witt, in

Clinton county, relative to the same subject. Read and laid on the table.

By Mr. Britain. A communication from George K. Smith, of Calhoun county, relative to the same subject. Read and laid on the table.

By Mr. Throop. A communication from the Common Council of the city of Detroit, relative to the same subject. Read and laid on the table.

By Mr. C. H. Taylor. Of B. L. Haskins and fifty others, for the laying out of a state road from Lynd's Mills, in the county of Montcalm, to Grand Rapids in the county of Kent. Referred to the committee on roads and bridges.

By Mr. Truesdell. Of forty inhabitants of the county of Washtenaw, for the passage of a law providing for single representative districts. Referred to the committee on state affairs.

By Mr. Britain. The proposition of Porter Kibbee, and others, for leasing the Clinton and Kalamazoo Canal. Same reference.

By Mr. H. W. Taylor. Of Marvin Hannabs, and other citizens of Calhoun county, for the passage of a law providing for single representative districts. Same reference.

By Mr. Kelsey. Of C. C. Mills, and sixty-four other citizens of the county of Shiawassee, for the incorporation of a company to construct a plank or McAdamized road, from Pontiac to the village of Corunna. Referred to the committee on banks and incorporations.

#### REPORTS.

Mr. Fralick, from the committee on claims, reported back the petitions of K. S. Pettibone and of George F. Macy, and reported adverse to any legislative action thereon.

The report was accepted and the committee discharged from the further consideration of the subject.

Mr. Fralick, from the same committee, reported back without amendment the Senate bill to provide for the settlement of the claims of supervisors of the several townships within this state, and recommended its passage.

The report was accepted, the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole.

Mr. Fralick, from the same committee, reported a joint resolution relative to the settlement of a claim of Patrick Larkins, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Harrington, from the committee on internal improvement, to whom have been referred sundry petitions asking appropriations of lands for purposes of internal improvement, and also, several resolutions instructing the committee to inquire into the expediency of making certain appropriations, submitted a report from the majority of the committee, which was read, accepted, and the committee discharged from the further consideration of the subject.

Mr. Marantette, as the minority of the same committee, submitted a report on the same subject, which was read and accepted.

On motion of Mr. Adam,

The reports were laid on the table and ordered to be printed.

Mr. Driggs, from the committee on engrossment and enrollment, reported that the joint resolution relative to a settlement of a claim of John M. Morrow, was correctly enrolled, and was this day presented to the Governor for his approval.

Mr. Driggs, from the same committee, also reported as correctly engrossed, the bill to incorporate the Union City Iron Company, in the county of Branch, and joint resolutions relative to a petition of the Chippewa Indians.

Mr. Johnson, from the committee on banks and incorporations, reported back without amendment, and recommended their passage, the bill to amend an act entitled an act to incorporate the Battle Creek and Grand Rapids Rail Road Company, approved May 4, 1846, and the bill to amend the charter of the Union City Plank Road Company, which report was accepted, the committee discharged from the further consideration of the subject, and the bills referred to the committee of the whole and placed on the general order.

Mr. Johnson, from the same committee, reported back without amendment, and recommended that it do not pass, the bill to incorporate the Kearsley Branch Rail Road Company, which report was accepted, the committee discharged from the further consideration of the subject, and

On motion of Mr. Throop,

The bill was laid on the table.

Mr. Goodwin, from the same committee, reported a bill to repeal the charter of the borough of Michilimackinac, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Hebard, from the committee on roads and bridges, reported a bill authorizing Allen A. Rabineau to build a dam across River Raisin, in the county of Monroe, and a bill to repeal part of an act entitled an act authorizing the construction of a wagon road on the line of the Northern Railroad, approved March 9, 1843, which were severally read twice, referred to the committee of the whole and placed on the general order.

Mr. Adam, from the select committee on the geological survey, submitted a report, accompanied by a bill, in regard to the publication of the map of the State, and of the several counties, under an act of 1840, which was read, and,

On motion Mr. J. D. Pierce,

Laid on the table and ordered to be printed.

The bill to provide for the publication of a map of the State, and for other purposes, was read twice, referred to the committee of the whole, and placed on the general order.

Mr. J. D. Pierce, from the committee of conference on the disagreement between the two Houses on the preamble and joint resolutions on the existing war with Mexico, submitted a report thereon which was accepted and concurred in by the House.

The following message was received from the Executive:

EXECUTIVE OFFICE,  
*Detroit, February 10, 1847.* }

*To the Senate and*

*House of Representatives:*

I herewith transmit two communications from Alexander Vattermare acknowledging the receipt of certain documents which were forwarded to him by direction of the legislature, and containing suggestions on the subject of international scientific and literary exchanges.

I also transmit a communication from Messrs. Wiley & Putnam relative to the purchase by the managers of the British Museum, of the public documents and state papers of Michigan.

I also herewith transmit the annual report of the receipts and expenditures of the Erie and Kalamazoo Railroad Company for the year 1846, and also certain resolutions of the legislature of the state of New Hampshire relative to slavery.

ALPHEUS FELCH.

The two communications from Alexander Vattermare, and the communication from Messrs. Wiley & Putnam were read, and

On motion of Mr. Adam,

Referred to the committee on the state library.

The resolutions of the legislature of New Hampshire were read and

On motion of Mr. Adam,

Referred to the committee on federal relations.

The report of the Erie and Kalamazoo railroad company was read, and

On motion of Mr. J. D. Pierce,

Laid on the table and ordered to be printed.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. H. W. Taylor,

All communications and papers on the table relative to the location of the capitol, were taken therefrom, referred to the committee of the whole and placed on the special order for the day.

Mr. Britain gave notice that on some future day he should ask leave to introduce a bill to provide for the organization of certain townships.

Mr. Coates gave notice that on some future day he should ask leave to introduce bill making appropriations on the road leading from Allegan to Black river in Ottawa county, for the benefit of the New Holland colony, and a bill making appropriations on the state road leading from Gull Prairie, in Kalamazoo county, to Grand Rapids.

Mr. McFarlan gave notice that on some future day he should ask leave to introduce a bill to amend chapter one hundred and six of the revised statutes of 1846, relating to the exemption of personal property from execution.

Mr. C. H. Taylor, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize Cyprian S. Hooker to erect a dam across the east branch of Flat river in the county of Kent, which was read twice, and referred to the committee on roads and bridges.

On motion of Mr. O'Malley,

*Resolved*, That the use of the Hall of the House of Representatives be tendered to Jonathan Lamb, Esq., for the purpose of delivering a lecture on education, on Tuesday evening next.

Mr. Driggs offered the following resolution, which was,

On motion of Mr. J. D. Pierce,

Laid on the table :

*Resolved*, That from and after the sixteenth instant, no more reports from standing or select committees, nor any new matter of any kind, be received for action by this House.

Mr. H. Mower gave notice that on some future day he should ask leave to introduce a bill to annex Western Michigan to the City of Detroit for political purposes.

On motion of Mr. Goodrich,

The bill to incorporate the Kearsley Branch Rail Road Company was taken from the table, and recommitted to the committee on banks and incorporations.

Mr. Hollister offered the following resolution :

*Resolved*, That when this House adjourn, it will adjourn to meet again at half past two o'clock this afternoon, and that hereafter this House will meet at half past nine o'clock A. M., and half past two o'clock P. M. each day.

On motion of Mr. Britain,

The words "half past nine," were stricken out and "ten," inserted, and the words "half past two" were stricken out, and "three" inserted, and the resolution was then adopted.

Mr. Coates, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize the minor heirs of the late Martha Town, deceased, to release their claims to a certain tract of land, which was read twice and referred to the committee on the judiciary.

On motion of Mr. Goodrich,

The joint resolution for the relief of Harvey Sherman was taken from the table, and recommitted to the committee on public lands, with instructions to inquire into the expediency of passing a general law covering all similar cases.

The joint resolutions relative to a petition of the Chippewa Indians were read the third time and passed.

The bill to incorporate the Union City Iron Company, in the county of Branch, was passed by a two thirds vote as follows :

## YEAS.

Mr. Adam,	Mr. Goodrich,	Mr. McGraw,
Barker,	Goodwin,	Miller,
Bell,	Goodyear,	G. W. Moore,
Britain,	Harris,	H. Mower,
Brown,	Haydon,	O'Malley,
Coates,	Hebard,	J. D. Pierce,
Culver,	Hollister,	Price,
Darrah,	Jennings,	Seeley,
Davison,	Johnson,	Seymour,
Deming,	Jones,	Shaw,
Driggs,	Kelsey,	Shook,
Dyckman,	Kilborn,	H. W. Taylor,
Eaton,	Kinne,	Throop,
Edmunds,	Knight,	Upton,
Faxon,	Lomis,	Van Duser,
Ferrington,	Makley,	Walker,
Fralick,	Marantette,	Speaker,
Goodell,	McFarlan,	53
NAYS.		

Mr. Glen,	Mr. D. Pierce,	Mr. C. H. Taylor,
Noble,	Renwick,	Truesdell,
		6

The House then went into committee of the whole on the special order, being the bill to locate the capitol, pursuant to section nine of article twelve of the constitution of this state, Mr. Glen in the chair.

After some time, the committee rose and by their chairman reported progress and asked and obtained leave to sit again.

On motion of Mr. G. W. Moore,

The House adjourned.

—  
*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Brooks, Clark, Pond and Turner were absent on leave, and Messrs. Darrah, Eaton, McFarlan, Miller, Seymour and Upton were absent without leave.

The following message was received from the Senate :

SENATE CHAMBER, }  
Detroit, February 10, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit a "bill to autho-



thorize the highway commissioners of the township of Kalamazoo to vacate a certain street," which the Senate have passed, and in which they respectfully ask the concurrence of the House.

Your obedient servant,

JA'S. E. PLATT,

*Sec'y. of Senate.*

The bill to authorize the highway commissioners of the township of Kalamazoo to vacate a certain street, was read twice, when

On motion of Mr. Britain,

The twenty-first rule was suspended and the bill was ordered to a third reading—read the third time and passed.

The House then resolved itself into committee of the whole on the special order, being the bill to locate the capitol, pursuant to section nine of article twelve of the constitution of this state, Mr. Glen in the chair.

After some time, the committee rose, and by their chairman reported the bill back to the House with an amendment, in which the concurrence of the House was asked.

The question being on concurring in the amendment, which]filled the blank in the bill with the words "Grand Blanc, in the county of Genesee," it was lost by the following vote :

YEAS.

Mr. Adam,  
Bell,  
Darrah,  
Davis n,  
Emuunds,  
Faxon,  
Goodrich,  
Hebard,

Mr. Harrington,  
Jennings,  
Jones,  
Kelsey,  
Lomis,  
Makley,  
McGraw,  
O'Malley,

Mr. D. Pierce,  
Seeley,  
Truesdell,  
Upton,  
Van Duser,  
Walker,  
Speaker.

23

NAYS.

Mr. Arzeno,  
Barker,  
Britain,  
Brown,  
Chubb,  
Coates,  
Culver,  
Deming,  
Driggs,  
Dyckman,

Mr. Fralick,  
Glen,  
Goodell,  
Goodwin,  
Goodyear,  
Haydon,  
Hollister,  
Johnson,  
Kilborn,  
Kinne,

Mr. McFarlan,  
G. W. Moore,  
Noble,  
J. D. Pierce,  
Price,  
Renwick,  
Shaw,  
Shook.  
C. H. Taylor,  
H. W. Taylor,

Eaton,  
Ferrington,

Knight,  
Marantette,

Throop,

35

On motion of Mr. J. D. Pierce,

The House adjourned.

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*Thursday, February 11, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs, Brooks, Chubb, Pond and Turner were absent on leave, and Messrs. Goodrich, Goodyear, Kinne, Renwick and Van Duser were absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Fralick. The claim of S. W. Higgins, for services rendered the state. Referred to the committee on claims.

Also, the claim of James Gunning for services rendered the state. Same reference.

By Mr. Truesdell. Of P. C. H. Brotherson, and forty other inhabitants of Washtenaw county, for the division of the state into single representative and senatorial districts. Referred to the committee on state affairs.

By Mr. Britain. Of William Huff and others, of Berrien county for the same purposes. Same reference.

By Mr. D. Pierce. Of Thomas H. Godfrey and thirty-seven others, and of E. Bullard, and seventy others, of Washtenaw county, for the same purposes. Same reference.

By Mr. Price. Of Martin Buzzell, and thirty-one other citizens of Macomb county, for the same purposes. Same reference.

By Mr. Britain. The remonstrance of John Witherell and others, against the removal of probate courts of Berrien county from the county site of said county. Same reference.

By Mr. Barker. Of Samuel Thompson and forty-one others, for an alteration in the boundaries of the township of Niles and Bertrand. Referred to the committee on the organization of townships and counties.

By the Speaker. A communication from Joseph S. Fenton, relative to the location of the capitol, which was read and referred to the committee of the whole.

By Mr. McFarlan. Of twenty-five inhabitants of the townships of Greenfield and Redford, Wayne county, for the repeal of the charter of the Detroit and Grand river plank road company. Referred to the committee on banks and incorporations.

By Mr. H. Mower. A communication of Phineas Farrand, relative to the location of the capitol, which was read twice and referred to the committee of the whole.

By Mr. Van Duser. Of O. P. Hathaway and others, for the incorporation of a company to construct a plank road from Adrian to Coldwater. Referred to the committee on banks and incorporations.

#### REPORTS.

Mr. Fralick, from the committee on claims, reported a joint resolution relative to the claim of Nathaniel McSweeney, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Harrington, from the committee on internal improvement, submitted the following reports, which were read, accepted, and the committee discharged from the further consideration of the subjects :

The committee on internal improvement, to whom was referred the petition of Orin Whitmore and others of Ingham county, praying for the improvement of the Detroit and Grand River turnpike, by an appropriation of money, state lands, or non-resident taxes report.

It appears by the prayer of the petitioners that a law was enacted two years ago appropriating the non-resident highway taxes on said road, but in consequence of the commissioner not receiving notice in time to qualify, under the act, it became inoperative. We therefore recommend the enactment of a similar law, or the revival of the previous act, so that the petitioners may receive its benefits. But report adverse to the appropriating of money or lands for such purposes.

The committee on internal improvement have had the subject of Mr. Isaac Barnes' letter under consideration, and beg leave to report adverse to that part of the letter requiring an appropriation of one section of land for the purpose of aiding in the construction of a bridge and road across Gunn river.

They would further recommend that said letter be submitted to the committee on judiciary, as it seems to contain some valuable hints which would be better understood by that committee.

Mr. Hebard, from the committee on roads and bridges, reported back without amendment, and recommended its passage, the bill to authorize Cyprian S. Hooker to erect a dam across the east branch of Flat river, in the county of Kent, and the bill was referred to the committee of the whole and placed on the general order.

Mr. D. Pierce, by unanimous consent, previous notice not having been given, introduced a bill to extend the time for the return of certain taxes in the township of Lima, Washtenaw county, for 1847, which was read twice, and

On motion of Mr. H. W. Taylor,

Referred to the committee on ways and means.

Mr. Johnson gave notice that on some future day he should ask leave to introduce a bill to regulate public highways and for other purposes.

Mr. Upton gave notice that on some future day he should ask leave to introduce a bill authorizing the Auditor General to cancel mortgages given as collateral security for the redemption of bills under the general banking law.

Mr. Kelsey gave notice that on some future day he should ask leave to introduce a bill making appropriations on the Pontiac and Grand River road.

Mr. Harrington gave notice that on some future day he will ask leave to introduce a bill to amend the charter of the Detroit and Shelby Railroad Company.

On motion of Mr. Britain,

The bill to locate the capitol, pursuant to section nine of article twelve of the constitution of this state was recommitted to the committee of the whole.

And the House resolved itself into committee of the whole on said bill, Mr. Glen in the chair.

After a short time the committee rose and by their chairman reported the bill back with an amendment in which the concurrence of the House was asked,

The amendment, which filled the blank in the bill with the words

"Saginaw City, in the county of Saginaw," was non-concurred in.

Mr. Kelsey moved to insert in the blank, the words "village of Byron, in the county of Shiawassee," which motion was decided in the negative by the following vote:

## YEAS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Chubb,  
Darrah,  
Eaton,  
Edmunds,  
Faxon,

Mr. Harris,  
Hebard,  
Harrington,  
Jennings,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
McGraw,

Mr. Miller,  
O'Malley,  
D. Pierce,  
Renwick,  
Seeley,  
Seymour,  
Truesdell,  
Upton,  
Speaker, 27

## NAYS.

Mr. Britain,  
Brown,  
Coates,  
Culver,  
Deming,  
Driggs,  
Dyckman,  
Ferrington,  
Fralick,  
Glen,  
Goodell,

Mr. Goodwin,  
Goodyear,  
Huydon,  
Hollister,  
Johnson,  
Jones,  
Kinne,  
Knight,  
Marantette,  
McFarlan,  
G. W. Moore,

Mr. Noble,  
J. D. Pierce,  
Price,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Van Duser,  
Walker, 31

On motion of Mr. Chubb,

The bill was recommitted to the committee of the whole, and the House went into committee thereon, Mr. Glen, in the chair.

After a short time, the committee rose, and by their chairman reported the bill back to the House, with an amendment, in which the concurrence of the House was asked.

The amendment, which filled the blank in the bill with the words "Lyons, in the county of Ionia," was concurred in by the following vote:

## YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Driggs,  
Edmunds,  
Faxon,

Mr. Harris,  
Hebard,  
Harrington,  
Jennings,  
Kelsey,  
Kilborn,  
Knight,

Mr. H. Mower,  
Noble,  
O'Malley,  
D. Pierce,  
Renwick,  
Seeley,  
C. H. Taylor,

Glen,  
Goodrich,  
Goodyear,

Makley,  
McGraw,  
Miller,

Upton,  
Walker,  
Speaker, 30

### NAYS.

Mr. Barker,  
Brown,  
Chubb,  
Coates,  
Culver,  
Darrah,  
Deming,  
Dyckman,  
Ferrington,  
Fralick,

Mr. Goodwin,  
Haydon,  
Hollister,  
Johnson,  
Jones,  
Kinne,  
Lomis,  
Marantette,  
McFarlan,

Mr. G. W. Moore,  
J. D. Pierce,  
Price,  
Shaw,  
Shook,  
H. W. Taylor,  
Throop,  
Truesdell,  
Van Duser, 28

The question then being on ordering the bill to be engrossed and read the third time, it was decided in the negative by yeas and nays, as follows:

### YEAS.

Mr. Adam,  
Bell,  
Britain,  
Coates,  
Driggs,  
Edmunds,  
Faxon,  
Glen,  
Goodrich,

Mr. Goodyear,  
Harris,  
Hebard,  
Harrington,  
Jennings,  
Kelsey,  
Kilborn,  
Knight,  
Makley,

Mr. Miller,  
Noble,  
O'Malley,  
D. Pierce,  
Renwick,  
C. H. Taylor,  
Upton,  
Walker,  
Speaker, 29

### NAYS.

Mr. Arzeno,  
Barker,  
Brown,  
Chubb,  
Culver,  
Darrah,  
Deming,  
Dyckman,  
Eaton,  
Ferrington,  
Fralick,

Mr. Goodell,  
Goodwin,  
Haydon,  
Hollister,  
Johnson,  
Jones,  
Kinne,  
Lomis,  
Marantette,  
McFarlan,  
McGraw,

Mr. G. W. Moore,  
J. D. Pierce,  
Price,  
Seeley,  
Shaw,  
Shook,  
H. W. Taylor,  
Throop,  
Truesdell,  
Van Duser, 32

Mr. Chubb moved to refer the bill to the select committee on the location of the capitol, with instructions to strike out "Lyons, in the county of Ionia."

Mr. Knight moved to amend the instructions by adding thereto, "and insert Eaton Rapids, in the county of Eaton."

A division of the question being called for, it was first taken on the motion to commit with instructions to strike out, and prevailed.

The question then recurring on the motion to insert "Eaton Rapids, in the county of Eaton," it was lost.

Mr. Throop, from the select committee on the location of the capitol, reported the bill back to the House amended in accordance with the instructions; and

On motion of Mr. Chubb,

It was recommitted to the committee of the whole.

The House then resolved itself into committee of the whole on the bill, Mr. Glen in the chair, and after a short time, the committee rose, and by their chairman reported the same back with an amendment in which the concurrence of the House was asked.

On motion of Mr. C. H. Taylor,  
The House adjourned.

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*Afternoon Session—Three o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the the roll, Messrs. Brooks, Clark, Pond and Turner were absent on leave, and Messrs. Goodwin, Kinne and Noble were absent without leave.

The speaker presented the remonstrance of John Trick, Charles M. Eldredge, George W. Wisner, and forty-nine other residents and tax payers of the village of Pontiac, against a repeal of the charter of said village. Laid on the table.

Mr. Adam, from the committee on ways and means, reported back with amendments, the bill to extend the time for the return of certain taxes in the township of Lima, Washtenaw county, for 1847.

The amendments were concurred in by the House, and the bill ordered to be engrossed for a third reading.

Mr. J. D. Pierce moved a re-consideration of the vote by which the House yesterday adopted the resolution for holding two sessions each day, which motion, under the twenty-eighth rule, lies on the table at least one day.

On motion of Mr. Johnson,

The following resolution was taken from the table:

*Resolved*, That the standing rules of the House be amended as fol-

lows, viz: add to rule eight "nor more than twenty minutes on any one question, without leave of the House;" and in rule twenty-seven strike out all after the word "reconsideration" in the fourth line to and including the word "reconsideration" in the sixth line."

The proposed amendment to the eighth rule was withdrawn by the mover, Mr. Adam, and

The resolution as amended, was then adopted by a two-thirds vote.

The House then resumed the consideration of the bill to locate the capitol, pursuant to section nine of article twelve of the constitution of this state, and the question being on concurring in the amendment made in committee of the whole, filling the blank in the bill with the words "the township of Lansing, in the county of Ingham," when

Mr. Davison moved to amend the amendment by striking it out, and inserting "the city of Detroit, in the county of Wayne," which motion was lost by the following vote :

#### YEAS.

Mr. Britain,	Mr. Jones,	Mr. O'Malley,	
Davison,	Knight,	Price,	
Eaton,	Lomis,	Seeley,	
Ferrington,	Marantette,	Seymour,	
Fralick,	McFarlan,	Shook,	
Goodell,	G. W. Moore,	Throop,	18

#### NA YS.

Mr. Adam,	Mr. Goodwin,	Mr. Miller,	
Arzeno,	Goodyear,	H. Mower,	
Ball,	Harris,	Noble,	
Brown,	Haydon,	D. Pierce,	
Chubb,	Hebard,	J. D. Pierce,	
Coates,	Harrington,	Renwick,	
Culver,	Hollister,	Shaw,	
Darrah,	Jennings,	C. H. Taylor,	
Deming,	Johnson,	H. W. Taylor,	
Driggs,	Kelsey,	Truesdell,	
Dyckman,	Kilborn,	Upton,	
Edmunds,	Kinne,	Van Duser,	
Faxon,	Makley,	Walker,	
Glen,	McGraw	Speaker,	
Goodrich,			43

Mr. Throop moved to amend the amendment by striking it out, and inserting "the village of Marshall, in the county of Calhoun," which motion was decided in the negative, by the following vote :



## YEAS

Mr. Bell,  
Britain,  
Brown,  
Coates,  
Culver,  
Driggs,  
Dyckman,  
Edmunds,  
Glen,  
Goodwin,

Mr. Goodyear,  
Harris,  
Haydon,  
Hollister,  
Johnson,  
Kinne,  
Marantette,  
H. Mower,  
Noble,  
O'Malley,

Mr. D. Pierce,  
J. D. Pierce,  
Renwick,  
Seymour,  
Shaw,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell,  
Van Duser,

29

## NAYS.

Mr. Adam,  
Arzeno,  
Chubb,  
Darrah,  
Davison,  
Deming,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,  
Goodell,

Mr. Goodrich,  
Hebard,  
Harrington,  
Jennings,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
McFarlan,

Mr. McGraw,  
Millet,  
G. W. Moore,  
Price,  
Seeley,  
Shook,  
Throop,  
Upton,  
Walker,  
Speaker,

32

Mr. Chubb moved to postpone the further consideration of the bill until Tuesday next, which motion was lost.

Mr. Johnson moved to amend the amendment by striking it out and inserting "the village of Jackson, in the county of Jackson," which did not prevail by the following vote:

## YEAS.

Mr. Arzeno,  
Barker,  
Bell,  
Britain,  
Brown,  
Culver,  
Darrah,  
Driggs,  
Dyckman,

Mr. Glen,  
Goodwin,  
Harrie,  
Haydon,  
Hollister,  
Johnson,  
Jones,  
Kinne,  
Knight,

Mr. Marantette,  
Noble,  
D. Pierce,  
Shaw,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell,  
Van Duser,  
Speaker,

27

## NAYS.

Mr. Adam,  
Chubb,  
Coates,  
Davison,  
Deming,  
Eaton,  
Edmunds,

Mr. Goodrich,  
Goodyear,  
Hebard,  
Harrington,  
Jennings,  
Kelsey,  
Kilborn,

Mr. McGraw,  
Miller,  
G. W. Moore,  
J. D. Pierce,  
Price,  
Renwick,  
Seeley,

Faxon,  
Ferrington,  
Fralick,  
Goodell,

Lomis,  
Makley,  
McFarlan,

Seymour,  
Shook,  
Throop,

31

Mr. McGraw moved to amend the amendment by striking it out, and inserting "the village of Ann Arbor, in the county of Washtenaw," which motion was lost by the following vote :

## YEAS.

Mr. Arzeno,  
Britain,  
Chubb,  
Davison,  
Edmunds,  
Goodell.

Mr. Goodwin,  
Haydon,  
Noble,  
O'Malley,  
D. Pierce,  
Renwick,

Mr. Seymour,  
Shook,  
H. W. Taylor,  
Truesdell,  
Van Duser,  
Speaker, 18

## NAYS.

Mr. Adam,  
Barker,  
Bell,  
Brown,  
Coates,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,  
Glen,

Mr. Goodrich,  
Goodyear,  
Harris,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,

Mr. Marantette,  
McFarlan,  
McGraw,  
Miller,  
G. W. Moore,  
H. Mower,  
J. D. Pierce,  
Price,  
Seeley,  
Shaw,  
C. H. Taylor,  
Throop,  
Upton,  
Walker, 44

Mr. Britain moved to amend the amendment by striking it out, and inserting "the village of Battle Creek, in the county of Calhoun," which motion did not prevail by the following vote :

## YEAS.

Mr. Arzeno,  
Barker,  
Britain,  
Brown,  
Chubb,  
Coates,  
Culver,  
Dyckman,

Mr. Edmunds,  
Glen,  
Goodyear,  
Harris,  
Haydon,  
Harrington,  
Marantette,  
D. Pierce,

Mr. J. D. Pierce,  
Renwick,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell, 23

## NAYS.

Mr. Adam,  
Bell,  
Darrah,

Mr. Hebard,  
Hollister,  
Jennings,

Mr. Miller,  
G. W. Moore,  
H. Mower,

Davison,  
Deming,  
Driggs,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,  
Goodell,  
Goodrich,  
Goodwin,

Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
McFarlan,  
McGraw,

Noble,  
Price,  
Seeley,  
Seymour,  
Throop,  
Upton,  
Van Duser,  
Walker,  
Speaker,

88

Mr. J. D. Pierce moved to amend the amendment by striking it out and inserting "the village of Albion, in the county of Calhoun," which amendment was rejected by yeas and nays as follows :

## YEAS.

Mr. Barker,  
Britain,  
Brown,  
Coates,  
Culver,  
Davison,  
Driggs,  
Dyckman,  
Edmunds,

Mr. Glen,  
Goodwin,  
Harris,  
Haydon,  
Hollister,  
Kinne,  
Marantette,  
H. Mower,  
Noble,

Mr. D. Piercc,  
J. D. Pierce,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell,

27

## NAYS.

Mr. Adam,  
Arzeno,  
Bell,  
Chubb,  
Darrah,  
Deming,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,  
Goodell,  
Goodrich,

Mr. Goodyear,  
Hebard,  
Harrington,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,

Mr. McFarlan,  
McGraw,  
Miller,  
G. W. Moore,  
Price,  
Seymour,  
Throop,  
Upton,  
Van Duser,  
Walker,  
Speaker,

34

Mr. G. W. Moore moved an adjournment, but the House refused to adjourn.

Mr. Price moved to amend the amendment by striking it out, and inserting "the village of Utica, in the county of Macomb," which motion was lost

Mr. Seeley moved to amend the amendment by striking it out and inserting "the village of Corunna, in the county of Shiawassee," which motion was decided in the negative by yeas and nays, as follows:

## YEAS.

Mr. Chubb,  
Darrah,  
Davison,  
Goodrich,  
Harris,  
Harrington,

Mr. Kelsey,  
McGraw,  
Miller,  
D. Pierce,  
J. D. Pierce,  
Seeley,

Mr. Seymour,  
Truesdell,  
Upton,  
Van Duser,  
Speaker,

17

## NAYS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Britain,  
Brown,  
Coates,  
Culver,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,

Mr. Fralick,  
Glen,  
Goodell,  
Goodwin,  
Goodyear,  
Haydon,  
Hebard,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kilborn,  
Kinne,  
Knight,  
Lomis,

Mr. Makley,  
Marantette,  
McFarlan,  
G. W. Moore,  
H. Mower,  
Noble,  
Price,  
Renwick,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Walker,

44

Mr. Knight moved to amend the amendment by striking it out, and inserting "the village of Eaton Rapids, in the county of Eaton," which amendment did not prevail, as follows:

## YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Chubb,  
Coates,  
Culver,  
Darrah,

Mr. Dyckman,  
Glen,  
Goodrich,  
Harris,  
Haydon,  
Hebard,  
Hollister,  
Johnson,  
Kinne,

Mr. Knight,  
Noble,  
D. Pierce,  
Seymour,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell,  
Van Duser,  
Speaker,

27

## NAYS.

Mr. Barker,  
Davison,  
Deming,  
Driggs,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,

Harrington,  
Jennings,  
Jones,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
Marantette,  
McFarlan,

Mr. G. W. Moore,  
H. Mower,  
J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
Throop,

Goodell,  
Goodwin,  
Goodyear,

McGraw,  
Miller,

Upton,  
Walker,

34

Mr. Renwick moved to amend the amendment by striking it out, and inserting "the village of Dexter, in the county of Washtenaw," which motion was lost by the following vote :

## YEAS.

Mr. Arzeno,  
Britain,  
Chubb,  
Culver,  
Dyckman,  
Edmunds,

Mr. Goodwin,  
Haydon,  
Jennings,  
O'Malley,  
D. Pierce,  
J. D. Pierce,

Mr. Renwick,  
Seymour,  
Truesdell,  
Van Duser,  
Speaker,

17

## NAYS.

Mr. Adam,  
Barker,  
Bell,  
Brown,  
Coates,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,  
Glen,  
Goodell,

Mr. Goodrich,  
Goodyear,  
Harris,  
Hebard,  
Harrington,  
Hollister,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,

Mr. McGraw,  
Miller,  
G. W. Moore,  
H. Mower,  
Noble,  
Price,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Upton,  
Walker,

44

Mr. Lomis moved an adjournment, which did not prevail.

Mr. Chubb moved to amend the amendment by striking it out and inserting "Copper Harbor," which motion was negatived.

Mr. Bell moved the previous question, but it was not demanded by the House.

Mr. Goodwin moved a reconsideration of the vote by which the amendment proposing Eaton Rapids was rejected, which motion was lost, and

The question recurring on the amendment made in committee of the whole, filling the blank in the bill with the words "the township of Lansing, in the county of Ingham," it was concurred in by yeas and nays as follows :

## YEAS.

Mr. Adam,  
Bell,

Mr. Goodyear,  
Harris,

Mr. Makley,  
McGraw,

## YEAS.

Mr. Chubb,  
Darrah,  
Davison,  
Goodrich,  
Harris,  
Harrington,

Mr. Kelsey,  
McGraw,  
Miller,  
D. Pierce,  
J. D. Pierce,  
Seeley,

Mr. Seymour,  
Truesdell,  
Upton,  
Van Duser,  
Speaker,

17

## NAYS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Britain,  
Brown,  
Coates,  
Culver,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,

Mr. Fralick,  
Glen,  
Goodell,  
Goodwin,  
Goodyear,  
Haydon,  
Hebard,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kilborn,  
Kinne,  
Knight,  
Lomis,

Mr. Makley,  
Marantette,  
McFarlan,  
G. W. Moore,  
H. Mower,  
Noble,  
Price,  
Renwick,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Walker,

44

Mr. Knight moved to amend the amendment by striking it out, and inserting "the village of Eaton Rapids, in the county of Eaton," which amendment did not prevail, as follows:

## YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Chubb,  
Coates,  
Culver,  
Darrah,

Mr. Dyckman,  
Glen,  
Goodrich,  
Harris,  
Haydon,  
Hebard,  
Hollister,  
Johnson,  
Kinne,

Mr. Knight,  
Noble,  
D. Pierce,  
Seymour,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell,  
Van Duser,  
Speaker,

27

## NAYS.

Mr. Barker,  
Davison,  
Deming,  
Driggs,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,

Harrington,  
Jennings,  
Jones,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
Marantette,  
McFarlan,

Mr. G. W. Moore,  
H. Mower,  
J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
Throop,

Goodell,  
Goodwin,  
Goodyear,

McGraw,  
Miller,

Upton,  
Walker,

34

Mr. Renwick moved to amend the amendment by striking it out, and inserting "the village of Dexter, in the county of Washtenaw," which motion was lost by the following vote :

## YEAS.

Mr. Arzeno,  
Britain,  
Chubb,  
Culver,  
Dyckman,  
Edmunds,

Mr. Goodwin,  
Haydon,  
Jennings,  
O'Malley,  
D. Pierce,  
J. D. Pierce,

Mr. Renwick,  
Seymour,  
Truesdell,  
Van Duser,  
Speaker,

17

## NAYS.

Mr. Adam,  
Barker,  
Bell,  
Brown,  
Coates,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,  
Glen,  
Goodell,

Mr. Goodrich,  
Goodyear,  
Harris,  
Hebard,  
Harrington,  
Hollister,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,

Mr. McGraw,  
Miller,  
G. W. Moore,  
H. Mower,  
Noble,  
Price,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Upton,  
Walker,

44

Mr. Lomis moved an adjournment, which did not prevail.

Mr. Chubb moved to amend the amendment by striking it out and inserting "Copper Harbor," which motion was negatived.

Mr. Bell moved the previous question, but it was not demanded by the House.

Mr. Goodwin moved a reconsideration of the vote by which the amendment proposing Eaton Rapids was rejected, which motion was lost, and

The question recurring on the amendment made in committee of the whole, filling the blank in the bill with the words "the township of Lansing, in the county of Ingham," it was concurred in by yeas and nays as follows :

## YEAS.

Mr. Adam,  
Bell,

Mr. Goodyear,  
Harris,

Mr. Makley,  
McGraw,

Britain,  
Brown,  
Coates,  
Culver,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Faxon,  
Goodrich,

Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,

Miller,  
H. Mower,  
Noble,  
O'Malley,  
D. Pierce,  
C. H. Taylor,  
Truesdell,  
Upton,  
Speaker,

35

## NAYS.

Mr. Arzeno,  
Barker,  
Chubb,  
Darrah,  
Eaton,  
Edmunds,  
Ferrington,  
Fralick,  
Glen,

Mr. Goodell,  
Goodwin,  
Kinne,  
Lomis,  
Marantette,  
McFarlan,  
G. W. Moore  
J. D. Pierce,  
Price,

Mr. Renwick,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
H. W. Taylor,  
Throop,  
Van Duser,  
Walker,

27

On motion of Mr. Adam,

The House adjourned.

*Friday, February 12, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Goodrich, Haydon, Truesdell and Van Duser were absent without leave.

The journal of yesterday was read and corrected.

## PETITIONS PRESENTED.

By Mr. Adam. Of Addison J. Comstock and one hundred and sixty-nine others, for the incorporation of the Woodstock Manual Labor Institute, for the benefit of colored youths and others. Referred to the committee on banks and incorporations.

Also, of A. W. Britain and one hundred and fourteen others, relative to the obstruction of the river Raisin by mill dams, where the same was meandered by the United States surveys, and has been declared a public highway. Referred to the committee on state affairs.

By Mr. Clark. Of John Davison and seventy-five others, for the



passage of a law dividing the state into single senate and representative districts. Same reference.

By Mr. Britain. Of citizens of Albion, Calhoun county, relative to the location of the capitol. Laid on the table.

By Mr. Turner. Of Walter Graham and twenty-five other citizens of Lenawee county, for the passage of a law authorizing the jury in criminal cases to bring in with a verdict of guilty the amount of punishment to be inflicted, or the amount of fine to be imposed. Referred to the committee on the judiciary.

Also of A. L. Millerd and forty-four other citizens of Lenawee county, for an alteration of the law regulating the sessions of the supreme court. Same reference.

Also of Thomas Kealey and twenty-five others, for a charter to incorporate a company for the construction of a plank road from Adrian, in Lenawee county, to Union City, in the county of Branch. Referred to the committee on banks and incorporations.

Also of John Graham and twenty-one others, and of Hugh Talford and fifty-seven other citizens of Lenawee county, for the repeal of the charter of the Adrian Lyceum and Benevolent Association. Laid on the table.

By Mr. Van Duser. Of Darius C. Jackson and one hundred and eight others, for the incorporation of a company to construct a plank road from the village of Harrison, in Lenawee county, to the village of Jackson. Referred to the committee on banks and incorporations.

Also, of J. W. Leake and others, of the county of Hillsdale, for the incorporation of a company to construct a plank road from the village of Adrian to the village of Coldwater. Same reference.

#### REPORTS.

Mr. Hebard, from the committee on roads and bridges, reported a bill to provide for laying out certain roads in the upper peninsula of Michigan, and a bill to incorporate the Detroit and Birmingham plank road company, which were severally read twice, referred to the committee of the whole, and placed on the general order.

Mr. Johnson, from the committee on banks and incorporations, reported a bill to incorporate the Adrian and Coldwater plank road company, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed the bill to extend the time for the return of certain taxes in the township of Lima in the county of Washtenaw.

Mr. Goodwin gave notice that on some future day he should ask leave to introduce a bill to incorporate the Pioneer Smelting company of the upper peninsula.

Mr. Harrington offered the following resolution, which was not adopted.

*Resolved*, That in order to facilitate the final result in locating the capitol, that hereafter no point within the same county shall be entertained by this House or in committee of the whole, after the action of the House has once been had and lost, until all other counties that their representatives may wish, may first have an action by the House with reference to a location of such point as they may designate in their respective counties.

Mr. Upton, pursuant to previous notice, asked and obtained leave to introduce a bill requiring the Auditor General of the state to cancel certain securities executed to him under the general banking law, which was read twice and referred to the committee on banks and incorporations.

The bill to extend the time for the collection of certain taxes in the township of Lima in the county of Washtenaw, was read the third time and passed.

The House then took up the bill to locate the capitol pursuant to section nine of article twelve of the constitution of this state, when

Mr. Britain moved a reconsideration of the vote by which the House yesterday concurred in the amendment made thereto in committee of the whole, filling the blank with the words "the township of Lansing in the county of Ingham," which motion was lost.

Mr. Adam moved to recommit the bill to the select committee on the location of the capitol, with instructions to locate the seat of government at \_\_\_\_\_ until the first day of July, 1861, and thereafter at \_\_\_\_\_ which motion was decided in the negative.

The bill was then ordered to be engrossed and read the third time, by the following vote:

## YEAS.

Mr. Bell,  
Brown,  
Clark,  
Coates,  
Culver,  
Davison,  
Deming,  
Driggs,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,  
Goodrich,  
Goodyear,

Mr. Harris,  
Haydon,  
Hebard,  
Harrington,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Kinne,  
Knight,  
Makley,  
McFarlan,

Mr. Miller,  
G. W. Moore,  
H. Mower,  
Noble,  
D. Pierce,  
Pond,  
C. H. Taylor,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker,

40

## NAYS.

Mr. Adam,  
Arzeno,  
Barker,  
Britain,  
Brooks,  
Chubb,  
Darrah,  
Dyckman,

Mr. Edmunds,  
Glen,  
Goodell,  
Goodwin,  
Hollister,  
Lomis,  
Marantette,  
McGraw,

Mr. J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
H. W. Taylor, 24

The House then took up the special order, the being bill to define a homestead, and to exempt it from execution ;

And the question being on concurring in the amendments made thereto in committee of the whole, the first and fourth amendments were severally non-concurred in, and the second, fifth, sixth, seventh eight and ninth amendments were severally concurred in.

The third amendment, which strikes out all after the word "shall" in the fifth line of section four, and inserts "pay to the debtor, on demand, the said sum of five hundred dollars, which said sum of money shall not in any manner be subject to the payment of the debts of said house-holder," was non-concurred in by yeas and nays as follows:

## YEAS.

Mr. Adam,  
Arzeno,  
Barker,  
Brown,  
Coates,  
Culver,  
Ferrington,

Mr. Fralick,  
Goodrich,  
Harris,  
Harrington,  
Hollister,  
Jennings,  
Johnson,

Mr. Pond,  
Renwick,  
Throop,  
Van Duser,  
Walker,  
Speaker,

20

## NAYS.

Mr. Britain,  
Brooks,  
Chubb,  
Clark,  
Darrah,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Glen,  
Goodell,  
Goodwin,

Mr. Goodyear,  
Haydon,  
Jones,  
Kelsey,  
Kilborn,  
Kinne,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,  
Miller,  
G. W. Moore,

Mr. H. Mower,  
Noble,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Price,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Turner,  
Upton,

40

Mr. Chubb moved to amend section seven, by adding thereto the following: "or any creditor who is a man of a family, and is not worth fifty dollars, which fact shall be ascertained by the affidavit of such creditor before any proper authority," which motion was lost.

Mr. Britain moved to add the following proviso to section seven: which motion was decided in the negative, viz: "Provided said house holder be an unmarried person, without a family."

Mr. Barker moved to add the following to section five: "and any person holding a certificate of purchase of university or primary school land, who has paid an amount sufficient at the minimum price to purchase forty acres, may define by metes and bounds said forty acres as a homestead, and the commissioner of the state land office shall endorse the same on such certificate, and the governor shall issue to such person a patent for the same," which amendment was rejected by the following vote:

## YEAS.

Mr. Barker,  
Bell,  
Brown,  
Culver,  
Deming,  
Fralick,  
Goodrich,

Mr. Harris,  
Haydon,  
Harrington,  
Jennings,  
Jones,  
Makley,  
H. Mower,

Mr. D. Pierce,  
Pond,  
H. W. Taylor,  
Throop,  
Turner,  
Upton,  
Speaker.

21

## NAYS.

Mr. Adam,  
Arzeno,  
Britain,  
Brooks,

Mr. Glen,  
Goodell,  
Goodwin,  
Goodyear,

Mr. Miller,  
G. W. Moore,  
Noble,  
O'Malley,

Chubb,  
Clark,  
Coates,  
Darrah,  
Driggs,  
Dyckman,  
Eaton,  
Emunds,  
Faxon,  
Ferrington,

Hebard,  
Hollister,  
Johnson,  
Kelsey,  
Kilborn,  
Kinne,  
Lomis,  
Marantette,  
McFarlan,  
McGraw,

J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
Van Duser,  
Walker,

41

On motion of Mr. Lomis,  
The House adjourned.

### *Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called; and Messrs. Britain, Brooks, Chubb, Glen, Goodwin, Johnson, H. Mower, Shaw, Truesdell and Upton were absent without leave.

The House resumed the reconsideration of the special order, being the bill to define a homestead, and to exempt it from execution.

Mr. Edmunds moved to add the following proviso to section three: "Provided, That no such homestead shall be exempt from sale by virtue of any execution or process issued for the recovery of any debt contracted prior to the record of such homestead: And provided further, That any married woman, in case of neglect or refusal on the part of the husband to join in designating a homestead, and procuring a record of the same, may designate such homestead, and cause the same to be recorded."

A division of the question being called for, it was taken on the first clause of the amendment, and lost by yeas and nays, as follows:

### YEAS.

Mr. Barker,  
Bell,  
Coates,  
Deming,  
Driggs,  
Eaton,  
Edmunds,  
Ferrington,

Mr. Frolick,  
Harris,  
Haydon,  
Harrington,  
Jennings,  
Kelsey,  
H. Mower,  
O'Malley,

Mr. D. Pierce,  
Pond,  
Renwick,  
Seymour,  
Throop,  
Turner,  
Speaker,

23

## NAYS.

Mr. Adam,  
Arzeno,  
Britain,  
Brown,  
Clark,  
Culver,  
Darrah,  
Davison,  
Dyckman,  
Faxon,  
Goodell,  
Goodrich,

Mr. Goodyear,  
Hebard.  
Hollister,  
Jones,  
Kilborn  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,

Mr. McGraw,  
Miller,  
G. W. Moore,  
J. D. Pierce,  
Price,  
Seeley,  
Shook.  
C. H. Taylor,  
H. W. Taylor,  
Van Duzer,  
Walker,

34

The question then being on the second clause of the amendment, it prevailed by the following vote :

## YEAS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Britain,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,

Mr. Goodell,  
Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Harrington,  
Hollister,  
Jennings,  
Kelsey,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,

Mr. Miller,  
G. W. Moore,  
H. Mower,  
O'Malley,  
D. Pierce,  
Pond,  
Price,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
H. W. Taylor,  
Throop,  
Turner,  
Van Duser,  
Walker,  
Speaker,

53

## NAYS.

Mr. Brooks,  
Brown,  
Hebard,

Mr. Johnson,  
Jones,  
J. D. Pierce,

Mr. Renwick,  
C. H. Taylor,  
Upton, 9

Mr. H. Mower moved to add to section seven the following :

"Nor from any execution upon a judgment, when the creditor shall file an affidavit with the court where the judgment is rendered stating that the judgment was rendered for work and labor actually performed by the creditor for the householder, or for necessities of life actually furnished to the family of said householder by the said creditor."

Which amendment was adopted by the following vote :

## YEAS.

Mr. Barker,  
Bell,  
Brown,  
Clark,  
Coates,  
Culver,  
Deming,  
Driggs,  
Edmunds,  
Ferrington,  
Fralick,  
Glen,

Mr. Goodrich,  
Harris,  
Haydon,  
Harrington,  
Hollister,  
Jennings,  
Kelsey,  
Kilborn,  
Knight,  
Marantette,  
Miller,

Mr. H. Mower,  
O'Malley,  
D. Pierce,  
Pond,  
Price,  
Renwick,  
Seymour,  
H. W. Taylor,  
Throop,  
Turner,  
Speaker,

34

## NAYS.

Mr. Adam,  
Arzeno,  
Britain,  
Brooks,  
Darrah,  
Davison,  
Dyckman,  
Eaton,  
Faxon,  
Goodell,

Mr. Goodwin,  
Goodyear,  
Hebard,  
Johnson,  
Jones,  
Kinne,  
Lomis,  
Makley,  
McFarlan,

Mr. McGraw,  
G. W. Moore,  
J. D. Pierce,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
Van Duser,  
Walker,

28

Mr. Fralick moved to add the following proviso to section three:

"Provided, That no provision in this bill shall exempt such homestead from execution, if the owner of the debt shall file an affidavit with the court at the time of issuing of such execution, that he is not worth two hundred dollars."

Which amendment was rejected by yeas and nays as follows:

## YEAS.

Mr. Barker,  
Bell,  
Clark,  
Deming,  
Ferrington,  
Fralick,  
Goodrich,

Mr. Harris,  
Haydon,  
Harrington,  
Jennings,  
Kelsey,  
Knight,  
O'Malley,

Mr. D. Pierce,  
Pond,  
Seymour,  
Throop,  
Turner,  
Speaker,

20

## NAYS.

Mr. Adam,  
Arzeno,  
Britain,  
Brooks,  
Brown,  
Coates,

Mr. Glen,  
Goodell,  
Goodwin,  
Goodyear,  
Hebard,  
Hollister,

Mr. McGraw,  
Miller,  
G. W. Moore,  
H. Mower,  
J. D. Pierce,  
Price,

Culver,  
Darrah,  
Davis n,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,

Johnson,  
Jones,  
Kilborn,  
Kinne,  
Lomis,  
Makley,  
Marantette,  
McFarlan,

Renwick,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Van Duser,  
Walker, 42

Mr. Falick moved to amend section nine by inserting after the word "after" the words "ten years from," which motion was lost.

Mr. Goodell moved the previous question, which was sustained, and the main question was ordered to be now put.

The main question being on ordering the bill to be engrossed and read the third time, it prevailed by the following vote :

#### YEAS.

Mr. Adam,  
Arzeno,  
Britain,  
Brooks,  
Coates,  
Darrah,  
Davison,  
Driggs,  
Dyckman,  
Eaton,  
Faxon,  
Glen,  
Goodell.

Mr. Goodwin,  
Goodyear,  
Hebard,  
Hollister,  
Johnson,  
Jones,  
Kilborn,  
Kinne,  
Makley,  
Marantette,  
McFarlan,  
McGraw,

Mr. Miller,  
G. W. Moore,  
H. Mower,  
Noble,  
J. D. Pierce,  
Price,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
Van Duser, 37

#### NAYS.

Mr. Barker,  
Bell,  
Brown,  
Chubb,  
Clark,  
Culver,  
Deming,  
Edmunds,  
Ferrington,  
Fralick,

Mr. Goodrich,  
Harris,  
Haydon,  
Harrington,  
Jennings,  
Kelsey,  
Knight,  
Lomis,  
O'Malley,

Mr. D. Pierce,  
Pond,  
Renwick,  
H. W. Taylor,  
Throop,  
Turner,  
Upton,  
Walker,  
Speaker, 28

The House then resolved itself into committee of the whole on the general order, Mr. Miller in the chair.

And after some time, the committee rose and by their chairman reported back without amendment,

A bill to authorize the highway commissioners of Benton township to reassess certain delinquent non-resident taxes ;



A bill to change the name of John McIver ;

A bill to amend an act entitled an act to lay out a state road, approved March 6, 1844 ;

A bill to amend an act entitled an act for the encouragement of agriculture, approved March 2, 1844 ;

A bill to provide for the settlement of the claims of supervisors of the several townships within this state ; and

Joint resolutions to amend the constitution.

And also, reported back with amendments, in which the concurrence of the House was asked,

A bill for the relief of Thaddeus Smith ;

A bill to repeal part of an act entitled an act authorizing the construction of a wagon road on the line of the Northern Railroad, approved March 9, 1843 ; and

A bill to authorize township clerks to record deeds and mortgages.

The amendments to the bill for the relief of Thaddeus Smith were concurred in by the House, and the bill ordered to be engrossed and read the third time.

The amendment to the bill to authorize township clerks to record deeds and mortgages, was non-concurred in, and

On motion of Mr. Adam,

The bill was laid on the table.

The amendments to the bill to repeal part of an act entitled an act authorizing the construction of a wagon road on the line of the Northern Railroad, approved March 9, 1843, were concurred in, and the bill ordered to be engrossed for a third reading.

The bill to amend an act entitled an act to lay out a state road, approved March 6, 1844,

The bill to amend an act entitled an act for the encouragement of agriculture, approved March 2, 1844, and

The bill to change the name of John McIver, were severally ordered to be engrossed and read the third time.

The joint resolutions to amend the constitution were ordered to be engrossed and read the third time by the following vote :

## YEAS

Mr. Adam,  
Chubb,  
Clark,  
Davison,  
Deming,  
Dyckman,  
Edmunds.  
Faxon,  
Fralick,  
Goodell,  
Goodwin,

Mr. Goodyear,  
Haydon,  
Harrington,  
Jennings,  
Kilborn,  
Kinne,  
Lomis,  
McFarlan,  
McGraw,  
Miller,  
G. W. Moore,

Mr. H. Mower,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
Throop,  
Speaker,

32

## NAYS.

Mr. Arzeno,  
Barker,  
Britain,  
Brown,  
Coates,  
Culver,  
Darrah,  
Driggs,  
Eaton,  
Ferrington,

Mr. Glen,  
Harris,  
Hebard,  
Hollister,  
Johnson,  
Jones,  
Kelsey,  
Knight,  
Makley,

Mr. Marantette,  
Noble,  
Pond,  
Price,  
C. H. Taylor,  
Throop,  
Upton,  
Van Duser,  
Walker,

28

On motion of Mr. Adam,

The bill to authorize the highway commissioners of the township of Benton to reassess certain delinquent non-resident taxes, was amended by inserting before the word "district," in the second line of section one, the word "road," and by inserting after the word "year," in the fourth line of the same section, "if not sooner returned, may be returned with the delinquent highway taxes of eighteen hundred and forty seven, and."

The bill was then ordered to be engrossed and read the third time.

The bill to provide for the settlement of the claims of supervisors of the several townships within this state, was ordered to be read the third time.

On motion of Mr. J. D. Pierce;

The House adjourned.

*Saturday, February 13, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Goodwin, Goodyear, Kilborn, Noble, C. H. Taylor and Truesdell were absent without leave.

Mr. D. Pierce asked and obtained leave of absence for Mr. Truesdell for an indefinite period.

The journal of yesterday was read and corrected.

PETITIONS PRESENTED.

By Mr. Bell. Of the board of supervisors of the county of Ionia for a law to authorize them to expend an appropriation of five hundred dollars on the bridge at Lyons, in such manner as they may deem best for the interest of said county. Referred to the committee on the organization of townships and counties.

By Mr. Turner. Of R. E. Bird, asking for damages occasioned by the Southern railroad passing through his land. Referred to the committee on claims.

By Mr. Brooks. Of citizens of the township of China, asking for the organization of a new township. Referred to the committee on the organization of townships and counties.

By Mr. Fralick. The claim of R. C. Bradford & Co., for articles furnished the state. Referred to the committee on claims.

By Mr. Harris. Of Henry Clayton, and twenty-three others, for the organization of a new township in the county of Ottawa. Referred to the committee on the organization of townships and counties.

By Mr. Jennings. Of John J. Brown, and thirty-four other citizens of Livingston county, for an appropriation on the Clinton and Kalamazoo canal. Placed on the special order for Monday next.

Also, of R. C. Rumsey and fifteen others, and of A. Wakeman and seventy-nine other inhabitants of Livingston county, for a division of the state into single representative and senatorial districts. Referred to the committee on state affairs.

By Mr. Goodwin. The claim of George Griswold and D. D. Williamson, for interest on coupons from January and July to September, 1846. Referred to the committee on ways and means.

By Mr. Pond. The claim of James E. Brown. Referred to the committee on claims.

By Mr. Goodrich. Of ninety-three citizens of the township of Independence, in Oakland county, for the incorporation of the Kearsley Branch Railroad company. Referred to the committee on banks and incorporations.

By Mr. Haydon. Of C. Boughton and sixty other citizens of St. Joseph, Berrien county, for an appropriation of land. Referred to a select committee of three, consisting of Messrs. Haydon, Britain and Barker.

#### REPORTS.

Mr. Glen, from the committee on public lands, reported a bill to amend title twelve of the revised statutes of 1846, relative to the public lands and the superintendence and disposition thereof, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Fralick, from the committee on claims, reported back the joint resolution relative to a claim of Minor Y. Turrill, and reported adverse to the passage of the resolution.

The report was accepted, the committee discharged from the further consideration of the subject, and,

On motion of Mr. Fralick,

The joint resolution was indefinitely postponed.

On motion of Mr. Haydon,

Leave was granted to Mr. Turrill to withdraw from the files of this House, the papers relative to his claims.

Mr. Fralick, from the same committee, reported adverse to the allowance of the claim of James Gunning, which report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to locate the capitol pursuant to section nine of article twelve of the constitution of this State ;

A bill to amend an act entitled an act for the encouragement of agriculture, approved March 2, 1844 ;

A bill to change the name of John McIver ; and

Joint resolutions to amend the constitution.

Mr. Upton gave notice that on some future day he should ask leave

to introduce a bill appropriating certain internal improvement lands to aid in the construction of the Corunna and Northampton turnpike, and to amend the charter of the Corunna and Northampton turnpike company.

Mr. McFarlan, pursuant to previous notice, asked and obtained leave to introduce a bill to amend chapter one hundred and six of the revised statutes of 1846, which was read twice and referred to the committee on state affairs.

Mr. Coates, pursuant to previous notice, asked and obtained leave to introduce a bill making appropriations on the Kalamazoo river, which was read twice, placed on the special order for Monday next, and ordered to be printed.

Mr. Miller, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for the improvement of the Detroit and Saginaw turnpike between Flint and Saginaw, which was read twice placed on the special order for Monday next, and ordered to be printed.

Mr. Goodwin gave notice that on some future day he should ask leave to introduce a bill to incorporate the Marshall Woolen Mill at Marshall in the county of Calhoun.

On motion of Mr. Pond,

*Resolved*, That the committee on banks and incorporations be instructed to inquire into the expediency of modifying the charter of the Marshall Mutual Insurance Company, so as to enable all persons holding policies of said company to surrender such policies at their pleasure.

Mr. Seeley gave notice that on some future day he should ask leave to introduce a bill to authorize Prosper Bunyea to keep up a dam across the Huron river, in the county of Oakland.

On motion of Mr. J. D. Pierce,

The bill to incorporate the Chippewa Portage Company, was taken from the table.

Mr. Goodrich gave notice that on some future day he should ask leave to introduce a bill to provide for the improvement of a certain state road commencing in the town of Independence, and county of Oakland, and terminating at or near Witherbee's Mills, in the county of Genesee.

On motion of Mr. J. D. Pierce,

The motion to reconsider the vote by which the House on the eleventh instant, adopted a resolution ordering two sessions a day, was taken from the table, and the vote was reconsidered.

The question then recurring on the adoption of the resolution, it was not adopted.

On motion of Mr. Britain,

The circular accompanying the proposition of citizens of Albion, relative to the location of the capitol, was withdrawn from the files of the House.

The joint resolutions to amend the constitution was read the third time and passed by the following vote :

#### YEAS.

Mr. Adam,	Mr. Goodyear,	Mr. H. Mower,
Brooks,	Harris,	O'Malley,
Chubb,	Haydon,	D. Pierce,
Clark,	Harrington,	J. D. Pierce,
Davison,	Jennings,	Renwick,
Dyckman,	Johnson,	Seeley,
Edmunds,	Kelsey,	Seymour,
Faxon,	Kilborn,	Shook,
Fralick,	Lomis,	H. W. Taylor,
Glen,	McGraw,	Upton,
Goodell,	Miller,	Speaker,
Goodwin,	G. W. Moore,	

35

#### NAYS.

Mr. Arzeno,	Mr. Eaton,	Mr. Marantette,
Barker,	Ferrington,	McFarlan,
Bell,	Goodrich,	Pond,
Britain,	Hebard,	Price,
Brown,	Hollister,	C. H. Taylor,
Coates,	Jones,	Throop,
Culver,	Kinne,	Turner,
Darrah,	Knight,	Van Duser,
Deming,	Makley,	Walker,
Driggs,		

28

Mr. Johnson moved a reconsideration of the last vote, which motion prevailed by the following vote :

#### YEAS.

Mr. Adam,	Mr. Fralick,	Mr. McFarlan,
Arzeno,	Glen,	Noble,
Barker,	Goodrich,	Pond,
Bell,	Hebard,	Price,

Britain,  
Brown,  
Coates,  
Culver,  
Darrab,  
Deming,  
Driggs,  
Eaton,

Hollister,  
Johnson,  
Jones,  
Kinne,  
Knight,  
Makley,  
Marantette,

Shaw,  
C. H. Taylor,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Walker,

34

## NAYS.

Mr. Brooks,  
Chubb,  
Clark,  
Davison,  
Dyckman,  
Edmunds,  
Faxon,  
Goodell,  
Goodwin,  
Goodyear,

Mr. Harris,  
Haydon,  
Jennings,  
Kelsey,  
Kilborn,  
Lomis,  
McGraw,  
Miller,  
G. W. Moore,

Mr. H. Mower,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Renwick,  
Seeley,  
Shook,  
H. W. Taylor,  
Speaker,

28

On motion of Mr. Johnson,

The joint resolutions were laid on the table.

The bill to change the name of John McIver ;

The bill to amend an act entitled an act for the encouragement of agriculture, approved March 2, 1844 ; and

The bill to provide for the settlement of the claims of supervisors of the several townships within this state, were severally read the third time and passed.

The bill to locate the capitol, pursuant to section nine of article twelve of the constitution of this state, was read the third time, when

Mr. Goodwin moved to recommit the bill to the select committee on the location of the capitol, with instructions,

1. To strike out "the townshship of Lansing, in the county of Ingham," and insert "at the village of Marshall, in the county of Calhoun," and to amend so as to provide,

2. That the act shall take effect the first day of December next.

3. That the governor cause suitable offices to be provided at the seat of government for the governor, secretary of state, treasurer and auditor general, before the day on which the act shall take effect.

4. That the books and all other property necessary in the respective offices aforesaid, be removed to the seat of government by the said first day of December, and that the offices be opened there on the second day of December next.

5. That the governor also cause a suitable room to be prepared for the state library, and the library removed to the seat of government by the first day of January, 1848.

6. That the governor cause suitable rooms to be prepared for the next session of the legislature, at the seat of government, and cause them to be furnished in a suitable manner, either by removing the furniture of the present capitol, or otherwise, as he may think best and most economical, before the first Monday of January, 1848.

A division of the question being called for, it was taken on the first proposition of the instructions, and lost by yeas and nays as follows:

## YEAS.

Mr. Barker,  
Britain,  
Chubb,  
Coates,  
Dyckman,  
Edmunds,  
Glen,

Mr. Goodell,  
Goodwin,  
Goodyear,  
Haydon,  
Hollister,  
Johnson,  
Marantette,

Mr. Noble,  
J. D. Pierce,  
Renwick,  
Shaw,  
Shook,  
H. W. Taylor,  
Van Duser, 21

## NAYS.

Mr. Adam,  
Arzeno,  
Bell,  
Brooks,  
Brown,  
Clark,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,

Mr. Goodrich,  
Harris,  
Hebard,  
Harrington,  
Jennings,  
Jones,  
Kelsey,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
McFarlan,  
McGraw  
Miller,

Mr. G. W. Moore,  
H. Mower,  
O'Malley,  
D. Pierce,  
Pond,  
Price,  
Seeley,  
Seymour,  
C. H. Taylor,  
Throop,  
Turner,  
Upton,  
Walker,  
Speaker,

44

The question recurring on the remaining part of the instructions Mr. Adam moved to substitute therefor, instructions to the committee to add the following, which motion was lost :

Sec. 2. The Governor shall forthwith appoint an agent to receive such grant of land as may be made to the State for the purpose of locating the capitol, or to make such selection and final arrangement for that purpose as may be necessary.

Sec. 3. The state offices required by the constitution to be kept at



the seat of government, shall be removed to the place designated in the preceding section, as soon as suitable and necessary buildings for said offices and for the meeting of the legislature are there provided, of which fact, and of the time of such removal, the governor shall cause at least two weeks, notice to be given by proclamation to be published in the state paper, and in one other newspaper in each senatorial district.

Sec. 4. The act to locate the capitol shall take effect at the time fixed in such proclamation.

The question recurring on the remainder of the original instructions, it was decided in the negative by the following vote :

## YEAS.

Mr. Edmunds,  
Glen,  
Goodell,  
Goodwin,

Mr. Goodyear,  
Marantette,  
Renwick,

Mr. Seymour,  
Shaw,  
H. W. Taylor,  
10

## NAYS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Brooks,  
Brown,  
Chubb,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Faxon,  
Ferrington,

Mr. Fralick,  
Goodrich,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
McFarlan,

Mr. McGraw,  
Miller,  
G. W. Moore,  
H. Mower,  
Noble,  
O'Malley,  
D. Pierce,  
Pond,  
Seeley,  
Shook,  
C. H. Taylor,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker,

52

Mr. Johnson moved to recommit the bill, with instructions to strike out "the township of Lansing in the county of Ingham," and insert "the village of Jackson in the county of Jackson," pending which,

Mr. Davison moved the previous question, which was not sustained, and the question recurring on the proposition to recommit with instructions, it was decided in the negative by the following vote :

## YEAS.

Mr. Arzeno,  
Barker,  
Britain,  
Darrah,  
Dyckman,  
Edmunds,  
Faxon,  
Glen,

Mr. Goodell,  
Goodwin,  
Haydon,  
Hollister,  
Johnson,  
Jones,  
Knight,  
Marantette,

Mr. Noble,  
Renwick,  
Seymour,  
Shaw,  
Shook,  
H. W. Taylor,  
Van Duser,

23

## NAYS.

Mr. Adam,  
Bell,  
Brooks,  
Brown,  
Clark,  
Coates,  
Culver,  
Davison,  
Deming,  
Driggs,  
Eaton,  
Ferrington,  
Fralick,  
Goodrich,

Mr. Goodyear,  
Harris,  
Hebard,  
Harrington,  
Jennings,  
Kelsey,  
Kilborn,  
Kinne,  
Lomis,  
Makley,  
McFarlan,  
McGraw,  
Miller,  
G. W. Moore,

Mr. H. Mower,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
C. H. Taylor,  
Throop,  
Turner,  
Upton,  
Walker,  
Speaker,

41

The bill was then passed by yeas and nays as follows :

## YEAS.

Mr. Adam,  
Barker,  
Bell,  
Brooks,  
Brown,  
Coates,  
Culver,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,  
Glen,  
Goodrich,

Mr. Goodyear,  
Harris,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
McFarlan,  
McGraw,

Mr. Miller,  
G. W. Moore,  
H. Mower,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
C. H. Taylor,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker,

48

## NAYS.

Mr. Arzeno,  
Britain,  
Chubb,  
Clark,  
Darrah,  
Davison,

Mr. Edmunds,  
Goodell,  
Goodwin,  
Haydon,  
Marantette,  
Noble

Mr. Renwick,  
Seymour,  
Shaw,  
Shook,  
H. W. Taylor,

17

On motion of Mr. Driggs, the House adjourned.

*Monday, February 15, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Mr. Truesdell was absent on leave, and Messrs. Eaton, Kelsey, Kinne, H. Mower, Seymour, Upton and Van Duser were absent without leave.

The journal of Saturday was read and approved.

#### PETITIONS PRESENTED.

The Speaker presented claims of A. Kaminsky, for printing the Governor's message. Referred to the committee on claims.

By Mr. Britain. The claim of Edward G. Adderly. Same reference.

By Mr. Noble. Of Chester Stuart, and others, for a reassessment of school and library taxes in the township of Monroe. Referred to the committee on ways and means.

Also, of I. P. Christiancy and others, for an amendment of the law establishing county courts, and against the re-establishment of the court of chancery. Referred to the committee on the judiciary.

By Mr. Harrington. The remonstrance of citizens of the township of China, St. Clair county, against a division of said township. Referred to the committee on the organization of townships and counties.

#### REPORTS.

Mr. Goodwin, from the committee on state affairs, to whom was referred the petition of C. S. Dunbar and others, relative to a reduction of the pay of members of the legislature, submitted a report, which was read,

And the question being on the acceptance of the report, and discharging the committee, it was decided in the affirmative by the following vote :

#### YEAS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Britain,  
Brooks,  
Brown,  
Clark,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Hollister,

Mr. Miller,  
G. W. Moore,  
Noble,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,

Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,  
Glen,  
Goodell,

Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,

Renwick,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker,

61

## NAYS.

Mr. Chubb,

Mr. H. Mower,

Mr. H. W. Taylor, 3

Mr. Adam moved that the report be laid on the table and ordered printed, which motion prevailed by the following vote :

## YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Clark,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Fralick,  
Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Hebard,

Mr. Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,  
Miller,  
G. W. Moore,

Mr. Noble,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Shaw,  
C. H. Taylor,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker,

46

## NAYS.

Mr. Barker,  
Brooks,  
Brown,  
Chubb,  
Coates,  
Davison,

Mr. Dyckman,  
Edmunds,  
Faxon,  
Ferrington,  
Goodell,  
Kelsey,

Mr. H. Mower,  
Renwick,  
Seymour,  
Shook,  
H. W. Taylor,

17

Mr. Goodwin, from the same committee, reported joint resolutions for amending the constitution, which were read twice, referred to the committee of the whole, and placed on the general order.

Mr. Goodwin, from the same committee, reported a bill for the pre-

servation and leasing of the Clinton and Kalamazoo canal, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Goodwin, from the same committee, reported back the bill to amend chapter one hundred and six of the revised statutes of 1846, and reported adverse to the passage thereof; which report was accepted, the committee discharged from the further consideration of the subject, and the bill laid on the table.

Mr. Goodwin, from the same committee, reported a bill to provide for draining swamps, marshes and other low lands, which was read twice, and

On motion of Mr. Noble,

The Clerk was instructed to transmit the bill to the Attorney General, and request him to report his opinion to this House as to the constitutionality of the measure.

Mr. Goodwin, from the same committee, reported a bill imposing penalties for obstructing the passage of fish in navigable streams, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Goodwin, from the same committee, to whom was referred certain petitions and remonstrances of citizens of Berrien county, in reference to holding probate courts at Niles, instead of Berrien, reported adversely to any legislative action thereon.

Which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Goodwin, from the committee on elections, reported back certain joint resolutions to amend the constitution (House Bill No. 7,) with certain amendments; and the joint resolutions as amended were referred to the committee of the whole and placed on the general order.

Mr. Price, from the committee on engrossment and enrollment, reported that the following bills were correctly engrossed:

A bill to define a homestead, and to exempt it from execution;

A bill for the relief of Thaddeus Smith;

A bill to amend an act entitled an act to lay out a state road, approved March 6, 1846;

A bill to authorize the highway commissioners of Benton township to re-assess certain delinquent non-resident taxes ; and

A bill to repeal part of an act entitled an act authorizing the construction of a wagon road on the line of the northern railroad, approved March 9, 1843.

Mr. Haydon, from the select committee, to whom was referred the petition of C. Boughton and sixty other citizens of St. Joseph, Berrien county, for an appropriation of land, reported a bill appropriating lands to the corporation of the village of St. Joseph and to the citizens thereof, which was read twice, referred to the committee of the whole, and placed on the general order.

The following message was received from the Senate :

SENATE CHAMBER, }  
Detroit, February 13, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to respectfully inform you that the Senate have concurred in the report of the committee of conference upon the “preamble and joint resolutions on the existing war with Mexico,” and have ordered the same as amended to be enrolled.

Also, to return the “bill to extend the time for the return of certain taxes in the township of Lima, in the county of Washtenaw,” and to respectfully inform you that the Senate have concurred therein.

Also, to return the “bill to incorporate the Union city iron company in the county of Branch,” and to respectfully inform you that the Senate have non-concurred therein.

Your obedient servant,

JA'S. E. PLATT,

*Sec'y. of Senate.*

The bill to extend the time for the return of certain taxes in the township of Lima, in the county of Washtenaw, was ordered to be enrolled.

Mr. H. W. Taylor offered the following resolution, which was, on his own motion, laid on the table.

*Resolved,* That the committee on harbors do make a report to the House on Thursday next.

Mr. Goodwin, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Pioneer Smelting Company of

the Upper Peninsula of Michigan, which was read twice and referred to the committee on banks and incorporations.

Mr. Kelsey, pursuant to previous notice, asked and obtained leave to introduce a bill to improve the Pontiac and Grand River road, which was read twice, referred to the committee of the whole, and placed on the special order for the day.

Mr. Seeley, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize Prosper Bunyea to keep up a dam across the Huron river, in the county of Oakland, which was read twice and referred to the committee on roads and bridges.

Mr. Harrington offered the following resolution, which was not adopted :

*Resolved*, That the committee on state lands be instructed to inquire into the expediency of appropriating three thousand acres of internal improvement lands for the purposes of removing the flood wood out of Black River, in St. Clair and Sanilac counties.

On motion of Mr. Goodrich,

The consideration of the special order for to-day was postponed till Wednesday next.

Mr. Goodrich moved that the committee of the whole be discharged from the consideration of the bills and papers which have been placed on the special order for to-day, and that said bills and papers be referred to a select committee of seven, to consist of one from each senatorial district, with instructions to report on or before Wednesday next, which motion prevailed.

The Speaker appointed as such committee Messrs. Goodrich, Kilborn, Coates, Britain, Knight, Jennings and Price.

Mr. Upton, pursuant to previous notice, asked and obtained leave to introduce a bill to make an appropriation of internal improvement lands to aid in the construction of the Corunna and Northampton Turnpike, and to amend the act entitled an act to incorporate the Corunna and Northampton Turnpike Company, approved March 4, 1846, which was read twice and referred to the select committee on bills making appropriations of lands.

Mr. Britain, pursuant to previous notice, asked and obtained leave to introduce a bill making an appropriation for a plank road around the falls of St. Mary's, in Chippewa county, which was read twice and referred to the last mentioned committee.

Mr. Britain, by unanimous consent, previous notice not having been given, introduced a bill to provide for the construction of a bridge across the St. Joseph river, on the United States road leading from Detroit to Chicago, which was read twice and had the same reference.

Mr. Seymour, by unanimous consent, previous notice not having been given, introduced a joint resolution relating to an appropriation of land by Congress for the construction of roads in northern Michigan, which was read twice and referred to the committee on federal relations.

Mr. H. Mower gave notice, that on some future day, he shall ask leave to introduce a bill for the relief of purchasers of university and primary school lands.

Mr. Jones gave notice, that on some future day, he shall ask leave to introduce a bill to provide for the construction of a plank road from Jackson, in the county of Jackson, to Lansing, in the county of Ingham.

The bill for the relief of Thaddeus Smith was read the third time and passed.

The bill to amend an act entitled an act to lay out a state road, approved March 6, 1846, was read the third time and passed, and the question being on its title, it was,

On motion of Mr. Knight,

Amended by striking out the words "lay out," and inserting "provide for the laying out of," and the title as amended was agreed to.

The bill to authorize the highway commissioners of the township of Benton to re-assess certain delinquent non-resident taxes, and

The bill to repeal part of an act entitled an act authorizing the construction of a wagon road on the line of the northern railroad, approved March 9, 1843, were severally read the third time and passed.

The bill to define a homestead and to exempt it from execution, was read the third time, when,

Mr. J. D. Pierce moved to recommit the bill to the committee on state affairs with instructions,

*First.* To add a new section as follows: In all cases upon the issuing of an execution upon any judgment rendered after the first day of May next, the officer issuing the same shall, if such be the case, certify under his hand by endorsement in writing on the back



of said execution, that the said judgment was rendered upon a contract made before said first day of May, and such endorsement shall be conclusive evidence to the officer executing the same, of said fact.

*Second.* Amend section four by striking out all after the word 'shall' in the seventh line, and insert the amendment proposed by the member from Jackson, in committee of the whole.

*Third.* Strike out the amendment offered by the member from Kalamazoo, and perfect the bill by making such other alterations in the arrangement of its parts as to make it harmonious as a whole; pending which,

Mr. Haydon moved an adjournment, which was lost.

A division having been called for, the question was taken on the motion to recommit, with the first proposition of the instructions, and prevailed by yeas and nays as follows:

## YEAS.

Mr. Adam,  
Arzeno,  
Britain,  
Brown,  
Darrah,  
Davison,  
Driggs,  
Dyckman,  
Faxon,  
Glen,  
Goodell,

Mr. Goodwin,  
Hebard,  
Hollister,  
Johnson,  
Kelsey,  
Kinne,  
Makley,  
McFarlan,  
Miller,  
G. W. Moore,  
Noble,

Mr. O'Malley,  
J. D. Pierce,  
Price,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Van Duser,  
Walker,

32

## NAYS.

Mr. Barker,  
Bell,  
Brooks,  
Chubb,  
Clark,  
Coates,  
Culver,  
Deming,  
Edmunds,  
Ferrington,  
Fralick,

Mr. Goodrich,  
Harris.  
Haydon,  
Harrington,  
Jennings,  
Jones,  
Kilborn,  
Knight,  
Lomis,  
Marantette,

Mr. McGraw,  
H. Mower,  
D. Pierce,  
Pond,  
Renwick,  
Seymour,  
Throop,  
Turner,  
Upton,  
Speaker,

31

Mr. Hollister offered the following substitute for the second subdivision of the proposed instructions, which was not adopted, viz:

*Second.* Insert after the word "thereafter" in the sixth line of section four, "pay said householder, by and with the consent of his wife, the said five hundred dollars, but in case said householder or his wife,

or either of them, shall elect, the sheriff shall within the time above specified."

The question then recurring on the second subdivision of instructions, it was adopted by the following vote:

## YEAS.

Mr. Adam,  
Arzeno,  
Brooks,  
Brown,  
Chubb,  
Clark,  
Coates,  
Darrah,  
Davison,  
Driggs,  
Dyckman,  
Faxon,  
Ferrington,

Mr. Glen,  
Goodell,  
Goodwin,  
Hebard,  
Hollister,  
Johnson,  
Jones,  
Kelsey,  
Kinne,  
Knight,  
Makley,  
McFarlan,

Mr. Miller,  
G. W. Moore  
Noble,  
O'Malley,  
J. D. Pierce  
Price,  
Seeley,  
Shaw,  
Shook,  
H. W. Taylor,  
Van Duser,  
Walker,

37

## NAYS.

Mr. Barker,  
Bell,  
Britain,  
Culver,  
Deming,  
Edmunds,  
Fralick,  
Goodrich,  
Harris,

Mr. Haydon,  
Harrington,  
Jennings,  
Kilborn,  
Lomis,  
Marantette,  
McGraw,  
H. Mower,  
D. Pierce,

Mr. Pond,  
Renwick,  
Seymour,  
C. H. Taylor,  
Throop,  
Turner,  
Upton,  
Speaker,

26

The third subdivision of the instructions was then adopted by yeas and as follows:

## YEAS.

Mr. Adam,  
Arzeno,  
Britain,  
Brooks,  
Chubb,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Faxon,  
Glen,  
Goodell,

Mr. Goodwin,  
Hebard,  
Hollister,  
Johnson,  
Jones,  
Kilborn,  
Kinne,  
Makley,  
McFarlan,  
McGraw,  
Miller,  
G. W. Moore,  
Noble,

Mr. O'Malley,  
J. D. Pierce,  
Price,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Upton,  
Van Duser,  
Walker,

38

## NAYS.

Mr. Barker,  
Bell,  
Brown,  
Clark,  
Coates,  
Culver,  
Edmunds,  
Ferrington,

Mr. Fralick,  
Goodrich,  
Harris,  
Haydon,  
Harrington,  
Jennings,  
Kelsey,  
Knight,

Mr. Lomis,  
H. Mower,  
D. Pierce,  
Pond,  
Renwick,  
Throop,  
Turner,  
Speaker.

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On motion of Mr. Adam,

The vote by which the House adopted the second subdivision of the instructions, and the vote rejecting the substitute therefor, offered by Mr. Hollister, were severally reconsidered.

The question recurring on the adoption of the substitute,

Mr. Upton moved to amend the same by striking it out and inserting as follows: "That the committee be further instructed so to amend the bill that when a homestead is recorded pursuant to the provisions of this act, the homestead so defined shall immediately become the sole and exclusive property of the wife of the said householder, with remainder to their heirs."

Which motion was lost.

And the substitute was then adopted by the following vote:

## YEAS.

Mr. Adam,  
Arzeno,  
Britain,  
Brooks,  
Chubb,  
Clark,  
Culver,  
Darrah,  
Davison,  
Driggs,  
Dyckman,  
Faxon,  
Ferrington,

Mr. Glen,  
Goodell,  
Goodwin,  
Hebard,  
Hollister,  
Jennings,  
Makley,  
McFarlan,  
Miller,  
G. W. Moore,  
H. Mower,  
Noble,  
O'Malley,

Mr. J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Turner,  
Van Duser,  
Walker,  
Speaker,

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## NAYS.

Mr. Barker,  
Bell,  
Brown,  
Coates,  
Deming,  
Edmunds,  
Fralick,  
Goodrich,  
Harris,

Mr. Haydon,  
Harrington,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Kinne,  
Knight,

Mr. Lomis,  
Marantette,  
McGraw,  
D. Pierce,  
Renwick,  
Seymour,  
Throop,  
Upton,

25

Mr. Knight, by unanimous consent, introduced a bill making an appropriation for the improvement of the road leading from Eaton Rapids, in the county of Eaton, to Saranac in the county of Ionia, which was read twice and referred to the select committee on bills making appropriations of internal improvement lands.

● On motion of Mr. J. D. Pierce,  
The House adjourned.

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*Tuesday, February 16, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Mr. Truesdell was absent on leave, and Messrs. Chubb, Eaton, Edmunds, Goodrich, Johnson, Renwick and Upton were absent without leave.

PETITIONS PRESENTED.

By Mr. J. D. Pierce. The memorial of Henry Welles, of Calhoun county, for relief as a purchaser of university lands. Referred to the committee on public lands.

By Mr. Edmunds. Of C. H. Van Cleve, and sixty-nine others, for the repeal of the law abolishing capital punishment. Referred to the committee on state affairs.

By Mr. Truesdell, Of D. W. Palmer, and one hundred others, for a division of the state into single senatorial and representative districts. Same reference.

By Mr. H. Mower. Of John R. Kellogg and others, for an appropriation of twenty-five hundred acres of land to construct a road to the Holland colony. Referred to the select committee on bills making appropriations of internal improvement lands.

REPORTS.

Mr. Noble, from the committee on the judiciary, to whom were referred two petitions of citizens of Lenawee county, for the passage of a law authorizing the jury in criminal cases to bring in with a verdict of guilty the amount of punishment to be inflicted, or the amount of fine to be imposed, reported adverse to the prayer of the petitions; which report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Noble, from the same committee, reported back without amendment, the bill to provide for the protection of wives and families against the effects of injudicious endorsing or signing as security, and reported adverse to its passage.

The report was accepted, and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole.

Mr. Adam, from the committee on ways and means, submitted the following report, which was accepted, and the committee discharged from the further consideration of the subject :

The committee of ways and means, to whom was referred the claim of George Griswold and D. D. Williamson, for themselves and others, for interest from January and July, 1846, to September 24, 1846, on certain coupons which they state were paid in as part of the purchase money of the Central Railroad, would report, that the committee find, that by the act providing for the sale of said road and incorporating a company for that purpose, said company were to pay as part of the first five hundred thousand dollars to be paid for the road, the sum of one hundred and five thousand dollars in money or in the coupons of the bonds designated in section four of that act as first class, which should fall due in January and July, 1846,—that being their option under their charter, to pay in money or in the kind of coupons above specified, and having elected to make payment in part of said one hundred and five thousand dollars in such coupons, the committee see no necessity for any legislative action in the premises, and therefore beg leave to be discharged from the further consideration of the subject.

Mr. Harris, from the committee on the organization of townships and counties, reported,

A bill for the relief of William Cummins,

A bill for the relief Thomas Lynch, and

A bill to authorize the supervisors of the county of Ionia to expend an appropriation for building a bridge at Lyons, in said county, in such manner as they may deem best for the interest of said county, which bills were severally read twice, referred to the committee of the whole; and placed on the general order.

Mr. Goodwin, from the committee on state affairs, reported back

the bill to define a homestead and to exempt it from execution, amended in accordance with the instructions of the House.

Mr. Johnson, from the committee on banks and incorporations, reported a bill to amend the charter of the Michigan Central Railroad Company, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Johnson, from the same committee, reported back without amendment, the bill requiring the Auditor General of the state to cancel certain securities executed to him under the general banking law, and recommend its passage,

Which report was accepted, the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole, and placed on the general order.

Mr. Johnson, from the same committee, reported back without amendment, the bill to provide for the construction of a ship canal around the Falls of Ste. Marie, and

On his motion, the bill was laid on the table.

Mr. Price, from the committee on engrossment and enrollment, reported that the bill to extend the time for the return of certain taxes in the township of Lima, in the county of Washtenaw, was correctly enrolled, and was this day presented to the Governor for his approval.

Mr. Jones, pursuant to previous notice, asked and obtained leave to introduce a bill in relation to teachers' institutes for the instruction of teachers of common schools, which was read twice and referred to the committee on education.

Mr. Goodyear, pursuant to previous notice, asked and obtained leave to introduce a bill making an appropriation for the improvement of the Battle Creek and Grand Rapids state road, which was read twice, and referred to the select committee on bills making appropriations of internal improvement lands.

Mr. Coates, pursuant to previous notice, asked and obtained leave to introduce a bill making appropriations on the road leading from Allegan to the New Holland Colony, on Black river, in the county of Ottawa, which was read twice and referred to the last mentioned committee.

Mr. Lomis, pursuant to previous notice, asked and obtained leave to introduce a bill to amend section five chapter twenty-three of the

revised statutes of 1846, entitled of persons liable to work on highways, and making assessments therefor, which was read twice and referred to the committee on roads and bridges.

Mr. Edmunds gave notice that on some future day he should ask leave to introduce a bill to authorize A. A. Hunter and J. Y. Larzilere to construct a dam across the Huron River.

Mr. Kelsey, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Pontiac and Corunna Plank Road Company, which was read twice and referred to the committee on banks and incorporations.

Mr. Throop gave notice that on some future day he should ask leave to introduce a bill to amend the charter of the city of Detroit.

Mr. D. Pierce gave notice that on some future day he should ask leave to introduce a bill abolishing all laws for the collection of debts, and for other purposes.

On motion of Mr. Adam,

It was ordered that the hour at which the House should meet hereafter, should be half past nine o'clock A. M.

The journal of yesterday, not having been printed in time for reading in its regular order this morning, was then read and corrected.

The House took up, as unfinished business, the bill to define a homestead and to exempt it from execution, and the question being on its passage, after some discussion, and pending the question,

The following communications were announced by the Speaker :

EXECUTIVE OFFICE, }  
Detroit, February 16, 1847. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State, "an act to extend the time for the return of certain taxes in the township of Lima in the county of Washtenaw."

ALPHEUS FELCH.

SENATE CHAMBER. }  
Detroit, February 16, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to respectfully ask the House to return to the Senate the "bill to incorporate the Union City Iron Company in the county of Branch."

Also, to transmit a "joint resolution relative to a certain sum of money stolen from the treasurer's office in Shiawassee county" which the Senate have adopted and in which the concurrence of the House is respectfully asked.

Also to return the "bill to authorize the issue of new bonds for the outstanding part paid bonds of this state," and to respectfully inform you that the Senate have non-concurred therein.

Also, to return the bill to change the name of John McIver," and to inform you that the Senate have passed the same with amendment, in which they respectfully ask the concurrence of the House.

Your ob't serv't,

JAS. E. PLATT,

*Sec. Senate.*

The Senate amendments to the bill to change the name of John McIver were concurred in, and the bill ordered to be enrolled.

The Senate joint resolution relative to a certain sum of money stolen from the treasurer's office in Shiawassee County, was read twice and referred to the committee on state affairs.

On motion of Mr. Goodwin,

The Clerk was instructed to return to the Senate the bill to incorporate the Union City Iron Company in the county of Branch.

On motion of Mr. Harris,

The House adjourned.

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*Wednesday, February 17, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Britain, Chubb, Eaton, Glen, Goodrich, Goodwin, Jennings and Noble were absent without leave.

Mr. Kilborn asked and obtained leave of absence for Mr. Jennings for an indefinite period.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Truesdell. Of John Way and others, for the division of



the State into single representative and senatorial districts. Referred to the committee on state affairs.

By Mr. C. H. Taylor. Of Charles Shepard and fifty-eight others, for an amendment to the charter of the village of Grand Rapids in the county of Kent. Referred to the committee on banks and incorporations.

Also, of Abraham Konkle and fifty-three others, for the organization of a certain township in the county of Kent, to be called the town of Alpine. Referred to the committee on the organization of townships and counties.

#### REPORTS.

Mr. Adam, from the committee on ways and means, to whom had been referred so much of the Governor's message as relates to the internal improvement debt of the State, submitted a report, accompanied by a bill ; which report was read, and,

On motion of Mr. Throop,

Laid on the table, and one thousand extra copies ordered to be printed.

The bill to provide for the payment of interest on the internal improvement debt of this State, and for other purposes, was read twice, referred to the committee of the whole and placed on the general order.

Mr. Glen, from the committee on public lands, reported back, with amendments, the bill for the relief of Joseph Miller, and recommended its passage.

The report was accepted, the committee discharged from the further consideration of the subject, and the bill and amendments were referred to the committee of the whole and placed on the general order.

Mr. Glen, from the same committee, submitted the following report, which was accepted, and the committee discharged from the further consideration of the subject:

The committee on public lands, to whom was referred a memorial of the trustees of the first society of the Methodist Episcopal Church in the township of Washington and county of Macomb, respectfully report : That the land upon which the church, referred to in the memorial, is built, is claimed by Joseph Miller ; and a bill has been re-

ferred to your committee asking for him the privilege of buying said land when it shall be in market, at the minimum price. Your committee are of opinion that Joseph Miller has an equitable claim to said land, and therefore cannot recommend that any portion of it be granted to another person or society. It has been represented to your committee that Joseph Miller has given to the Methodist Society a quit claim to the small parcel of land they ask for, and no doubt is entertained but that he will quit claim any further interest that he may acquire, when requested so to do. Your committee therefore believe that in granting the relief asked for by Joseph Miller, the said society, through him, will be able to obtain the relief asked for by the memorialists, without further legislation. All of which is respectfully submitted.

On motion of Mr. Price,

The memorialists had leave to withdraw their papers.

Mr. Price, from the committee on engrossment and enrollment, reported that the bill to change the name of John McIver, of Grand Rapids, in the county of Kent, was correctly enrolled, and was this day presented to the governor for his approval.

Mr. Johnson, from the committee on banks and incorporations, reported a bill to repeal an act entitled an act to incorporate the Detroit and Grand River Plank Road Company, approved March 12, 1844, and the amendatory acts thereto, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Johnson, from the same committee, reported back without amendment, the bill to amend an act entitled an act to amend an act entitled an act to incorporate the Detroit and Grand River Plank Road Company, approved March 12, 1846, and reported adverse to its passage; which report was accepted, the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Johnson, from the same committee, reported back without amendment, and recommended its passage, the bill to incorporate the Pioneer Smelting Company of the Upper Peninsula; which report was accepted, the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Johnson, from the same committee, to whom was referred the petition for the incorporation of the Woodstock Manual Labor Institute, for the benefit of colored youths and others, in Lenawee county, reported adverse to the prayer of the petition ; which report was accepted, and the committee discharged from the further consideration of the subject.

Mr. O'Malley, from the committee on education, reported back without amendment, and recommended their passage, the Senate bill to amend section thirty-six, chapter thirty-six of the revised statutes of Michigan, and the Senate joint resolution relative to publishing the report of the superintendent of public instruction ; which report was accepted, the committee discharged from the further consideration of the subject, and the bill and joint resolution were referred to the committee of the whole, and placed on the general order.

Mr. Goodwin, from the committee on state affairs, reported back sundry petitions asking the division of the state into single senatorial and representative districts, and on his motion the petitions were laid on the table.

Mr. Goodwin, from the same committee, to whom was referred the petition of C. H. Van Cleve, and sixty-seven others, for the repeal of the law abolishing capital punishment for the crime of murder, reported adverse to the prayer of the petition ; which report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Goodwin, from the same committee, reported back with an amendment, and recommended its passage, the Senate joint resolution relative to a certain sum of money stolen from the treasurers' office in Shiawassee county,

Which report was accepted, the committee discharged from the further consideration of the subject, and the joint resolution and amendment were referred to the committee of the whole and placed on the general order.

The following message was received from the Executive:

EXECUTIVE OFFICE, }  
*Detroit, February 16, 1847.* }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the

Secretary of State a "joint resolution relative to a settlement of a claim of John M. Morrow."

ALPHEUS FELCH.

On motion of Mr. Johnson,

The committee of the whole were discharged from the consideration of the bill requiring the Auditor General of the state to cancel certain securities executed to him under the general banking law, and the bill was recommitted to the committee on banks and incorporations.

Mr. Edmunds, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize Alfred A. Hunter and John Y. Larzere to construct and maintain a dam across the Huron river, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Kilborn, pursuant to previous notice, asked and obtained leave to introduce a bill for the improvement of the Detroit and Grand River road, which was read twice and referred to the select committee on bills making appropriations of internal improvement lands.

On motion of Mr. Goodrich,

The consideration of the special order was postponed until to-morrow.

Mr. Goodwin, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Marshall Woolen Mill, in the county of Calhoun, which was read twice and referred to the committee on banks and incorporations.

On motion of Mr. Johnson,

*Resolved*, That from and after the twenty-second instant, no more reports from standing or select committees, nor new matter of any kind, except such as shall be communicated from the Senate, be received for action by this House.

The House then took up, as unfinished business, the bill to define a homestead, and to exempt it from execution, the question being on its passage, pending which, and after some discussion,

On motion of Mr. Turner,

*Resolved*, That when this House adjourn, it will adjourn to meet at half past two o'clock this afternoon.

The following message was received from the Senate :

SENATE CHAMBER,  
*Detroit, February 17, 1847.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to respectfully request the House to return to the Senate the "bill to authorize the issue of new bonds for the outstanding part paid bonds of this state.

Your obedient servant,

JAMES E. PLATT,

*Sec'y. of Senate.*

On motion of Mr. Adam,

The Clerk was instructed to transmit to the Senate the bill to authorize the issue of new bonds for the outstanding part paid bonds of this state.

On motion of Mr. J. D. Pierce,

The House adjourned.

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*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll Messrs. Britain, Chubb, Driggs, Eaton, Faxon, Glen, Goodwin, Goodyear, Harris, Hollister, Jones, Makley, McFarlan, H. Mower, O'Malley, J. D. Pierce, Pond, Renwick, Seymour, Shaw, C. H. Taylor and Truesdell were absent without leave.

Mr. Hebard asked and obtained leave of absence for Mr. Makley for an indefinite period.

The House then took up the bill to define a homestead and exempt from execution, and the question being on the passage of the bill, pending which, after some discussion,

Mr. Haydon moved an adjournment, but the House refused to adjourn.

Mr. Goodwin moved that the House adjourn until seven o'clock this evening, which motion was lost.

Mr. Upton moved an adjournment, which motion did not prevail

Mr. Deming moved the previous question, which was sustained, and the main question was ordered to be now put.

The main question being on the passage of the bill, was then put and lost, by yeas and nays as follows :

## YEAS.

Mr. Adam,  
Arzeno,  
Britain,  
Brooks,  
Coates,  
Darrah,  
Driggs,  
Dyckman,  
Goodell.

Mr. Goodwin,  
Goodyear,  
Hebard,  
Johnson,  
Kinne,  
McFarlan,  
Miller,  
G. W. Moore,

Mr. Noble,  
J. D. Pierce,  
Price,  
Shaw,  
Shook,  
C. H. Taylor,  
Truesdell,  
Van Duser,

25

## NAYS.

Mr. Barker,  
Bell,  
Brown,  
Chubb,  
Clark,  
Culver,  
Davison,  
Deming,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,

Mr. Glen,  
Goodrich,  
Harris,  
Haydon,  
Harrington,  
Hollister,  
Jennings,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,

Mr. Marantette,  
McGraw,  
D. Pierce,  
Pond,  
Renwick,  
Seeley,  
Throop,  
Turner,  
Upton,  
Walker,  
Speaker,

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On motion of Mr. Knight,  
The House adjourned.

*Thursday, February 18, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Mr. Makley was absent on leave, and Messrs. Driggs, Eaton, Edmunds, Noble, Renwick, Seymour and Upton, were absent without leave.

The journal of yesterday was read and approved.

## PETITIONS PRESENTED.

Mr. Haydon presented the petition of T. E. Phelps and five hundred others, for the appropriation of non-resident taxes to improve the road leading from Paw Paw to St. Joseph. Referred to the committee on roads and bridges.

## REPORTS.

Mr. Johnson, from the committee on banks and incorporations, re-

ported a bill to amend an act entitled an act to incorporate the Cottonwood Swamp Turnpike Company, approved March 9, 1844, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Adam, from the committee on ways and means, submitted the following report, accompanied by a resolution ; which report was accepted, and the committee discharged from the further consideration of the subject :

The committee of ways and means, to whom was referred the petition of Chester Stuart and others, of the township and city of Monroe, praying the legislature to authorize and require the half mill school tax for the years 1844, 1845 and 1846, to be assessed upon the taxable property of said township, in addition to the other taxes authorized by law to be assessed for the year 1847, would respectfully report : That however praiseworthy the objects sought to be accomplished by the prayer of the petitioners must be admitted to be, yet, as the new revised statutes, which take effect on the first of next month, require an assessment of a mill tax in each township for school and township library purposes, and as the amount to be raised in the above township, which includes the city of Monroe, will, at the rate of one mill on the dollar, exceed four hundred dollars, your committee, for that and other reasons, have been induced to doubt the expediency of requiring the additional assessment asked for by the petitioners. Your committee learn from the report of the superintendent of public instruction, that the half mill school tax was raised last year in only 220 of the 420 townships from which reports were received. If any law was, therefore, to be passed requiring assessments of that tax to be added hereafter by the supervisors, where it had been heretofore omitted for one or more years past, a general law on the subject ought to be adopted. The inquiry, whether some penalty, not now provided by law, ought not to be imposed upon the supervisors, who may neglect to assess the above tax, not coming properly within the jurisdiction of the committee of ways and means, they beg leave to submit a resolution directing the committee on education to make such inquiry.

The resolution, which is in the following language, was then adopted :

*Resolved*, That the committee on education be instructed to inquire into the expediency of imposing some appropriate penalty upon such supervisors as may refuse or neglect to assess the school and township library tax upon the taxable property of their respective townships.

Mr. O'Malley, from the committee on education, reported back with an amendment, and recommended its passage, the bill in relation to Teachers' Institutes, for the instruction of Teachers of Common Schools; which report was accepted, the committee discharged from the further consideration of the subject, and the bill and amendment referred to the committee of the whole and placed on the general order.

Mr. Hebard, from the committee on roads and bridges, reported back, without amendment, and recommended their passage, the bill to authorize Prosper Bunyea to keep up a dam across the Huron river, in the county of Oakland, and the bill to amend section five, chapter twenty-three of the revised statutes of 1846, entitled of persons liable to work on highways, and making assessments therefor; which report was accepted, the committee discharged from the further consideration of the subject, and the bills were referred to the committee of the whole and placed on the general order.

Mr. Goodrich, from the majority of the select committee on the bills making appropriations of internal improvement lands, submitted a report, which he read, and which report was accepted.

Mr. Price from the minority of the same committee, submitted a report, which was read and accepted.

On motion of Mr. J. D. Pierce,

The two reports were laid on the table and ordered to be printed.

On motion of Mr. Adam,

Five hundred extra copies were ordered to be printed,

Mr. Goodrich, from the same committee, reported back with an amendment, and recommended its passage, the bill to improve the navigation of the St. Joseph river, which report was accepted, and the bill referred to the committee of the whole and placed on the special order for the day.

Mr. Kilborn, from the same committee, reported back the bill relative to an appropriation on the Detroit and Grand River road, with a substitute therefor, which report was accepted, and the bill and sub-



stitute referred to the committee of the whole and placed on the special order for the day.

Mr. Fralick, pursuant to previous notice, asked and obtained leave to introduce a bill to amend chapter ninety-three of the revised statutes of 1846, entitled of courts held by justices of the peace, which was read twice, and referred to the committee on the judiciary.

Mr. Throop, pursuant to previous notice, asked and obtained leave to introduce a bill to amend the charter of the city of Detroit, which was read twice, and referred to the committee on banks and incorporations.

Mr. H. W. Taylor offered the following resolution:

*Resolved*, the Senate concurring, that this legislature will adjourn on the fourth day of March next, at twelve o'clock, noon.

On motion of Mr. J. D. Pierce, the resolution was laid on the table.

Mr. Upton gave notice that on some future day he should ask leave to introduce a bill to amend section eight of chapter one hundred and thirty-four of the revised statutes.

On motion of Mr. Adam,

*Resolved*, That the committee on public lands be and they are hereby instructed to inquire into the expediency of requiring the commissioner of the land office to withhold certain school lands from sale, until after the location of the capitol by the legislature.

Mr. Glen moved a reconsideration of the vote by which the bill to define a homestead and to exempt it from execution was lost on its passage.

Mr. Adam moved to lay the motion to reconsider on the table, which motion was lost.

Mr. Truesdell moved to reconsider the vote by which the motion to lay on the table was lost, pending which,

Mr. Clark moved the previous question, which was sustained by the House. and the main question was ordered to be now put.

The main question, being on the motion to reconsider the vote by which the bill was lost, was then decided in the negative by the following vote :

YEAS.

Mr. Adam,  
Arzeno,

Mr. Goodell,  
Goodwin,

Mr. Noble,  
J. D. Pierce,

Britain,  
Brooks,  
Coates,  
Darrah,  
Driggs,  
Dyckman,  
Faxon,  
Glen,

Goodyear,  
Hebard,  
Johnson,  
Jones,  
Kinne,  
McFarlan,  
Miller,  
G. W. Moore,

Price,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
Truesdell,  
Van Duser,

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#### NAYS.

Mr. Barker,  
Bell,  
Brown,  
Chubb,  
Clark,  
Culver,  
Davison,  
Deming,  
Edmunds,  
Ferrington,  
Fralick,

Mr. Goodrich,  
Harris,  
Haydon,  
Harrington,  
Jennings,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Marantette,  
McGraw,

Mr. H. Mower,  
D. Pierce,  
Pond,  
Renwick,  
Sueley,  
H. W. Taylor,  
Throop,  
Turner,  
Upton,  
Walker,  
Speaker,

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On motion of Mr. Adam,

The Senate bill to abolish the office of acting commissioner of internal improvement, and for other purposes, was taken from the table.

Mr. J. D. Pierce gave notice that on some future day he should ask leave to introduce a joint resolution proposing certain amendments to the constitution.

Mr. Kilborn gave notice that on some future day he should ask leave to introduce a bill appropriating the non-resident highway tax for two miles on each side of the Detroit and Grand River road in the county of Ingham for the improvement of the same.

#### UNFINISHED BUSINESS.

The House then took up the Senate bill to incorporate the Chippewa Portage Company, and,

Mr. Seymour moved to amend the second line of section one, by inserting after the name of "Andrew Harvie," the following: "Sheldon McKnight, Joseph V. Brown, and Stephen R. Wood," which motion was lost.

On motion of Mr. Britain,

A new section was added to stand as section five, as follows:

Sec. 5. The prices of transportation across said road, established by the by-laws, shall be plainly painted upon signs, which shall be

put up in a conspicuous place at each end of the road, and for every violation of said by-laws said company shall be liable to a fine of fifty dollars, to be recovered with costs of suit, in an action of debt, before any court of competent jurisdiction."

On motion of Mr. McFarlan,

The words "and along the public highway, or upon," were stricken out of the first and second lines of section three, and

The House amendments to the bill were ordered to be engrossed and the bill ordered to a third reading.

The House then took up the Senate bill to abolish the office of acting commissioner of internal improvement, and for other purposes,

And the question being on the motion of Mr. Britain to strike out the first section, it was lost by yeas and nays as follows:

YEAS.

Mr. Barker,  
Britain,  
Darrah,

Mr. Dyckman,  
Haydon,

Mr. Knight,  
Shaw,

7

NAYS.

Mr. Adam,  
Arzeno,  
Bell,  
Chubb,  
Clark,  
Coates,  
Deming,  
Driggs,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,  
Goodell,  
Goodrich,  
Goodwin,

Mr. Goodyear,  
Hebard,  
Hollister,  
Jennings,  
Kilborn,  
Kinne,  
Lomis,  
Marantette,  
McGraw,  
Miller,  
G. W. Moore,  
Noble,  
D. Pierce,  
J. D. Pierce,

Mr. Pond,  
Price,  
Renwick,  
Seeley,  
Seymour,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Upton,  
Van Duser,  
Walker,  
Speaker,

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The House amendments to the bill were then ordered to be engrossed, and the bill ordered to a third reading.

On motion of Mr. H. W. Taylor,

The House adjourned.

*Friday, February 19, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Mr. Makley was absent on leave, and Messrs. Chubb, Dyckman, Eaton, Ferrington, Goodrich, Hebard, Noble, Seymour, Truesdell, Upton and Van Duser were absent without leave.

Mr. Kinne asked and obtained leave of absence for Mr. Van Duser for an indefinite period.

Mr. McFarlan for Mr. Ferrington for the day.

Mr. Frank for Mr. Eaton for an indefinite period.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Haydon. Of J. R. Baker, and one hundred and fifty others, for the appropriation of twenty thousand acres of land for the improvement of the navigation of the Paw Paw river, in Van Buren county. Referred to the select committee on bills making appropriations of the internal improvement lands.

By Mr. Faxon. Of Oliver Miller, and thirty-one others of the township of Macon, Lenawee county, for the passage of a law relative to the draining of low lands. Laid on the table.

By Mr. Kilborn. Of G. Morgan, and thirty-two others of the county of Ingham, for the passage of a law dividing the state in single Senatorial and Representative districts. Laid on the table.

Mr. Glen presented a communication from John Fitch, Esq., of Toledo, in regard to the university lands of this state lying near that place. Referred to the committee on public lands.

REPORTS.

Mr. Glen, from the committee on public lands, reported a joint resolution requiring the commissioner of the land office to withhold certain lands from sale, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Johnson, from the committee on banks and incorporations, reported a bill to incorporate the Pontiac and Corunna Plank road Company, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Johnson, from the same committee, reported back with an

amendment, the bill to incorporate the Marshall Woolen Mill in the county of Calhoun, and the bill and amendment were referred to the committee of the whole and placed on the general order.

Mr. Johnson, from the same committee, reported back the bill to amend the charter of the city of Detroit, which bill was referred to the committee of the whole and placed on the general order.

The Speaker presented the following communication :

ATTORNEY GENERAL'S OFFICE, }  
*Detroit, February 17, 1847.* }

SIR—I have the honor to acknowledge the receipt of the “bill to provide for the draining of swamps, marshes and other low lands,” now pending in the House of Representatives, with the request that I would examine the same, and give my opinion as to the constitutionality of the several provisions contained in the bill.

I have examined the bill carefully, and it is my opinion that the Legislature have the power and authority to enact a law of the kind proposed. The object of such a law is so clearly of a public nature, and the right of the Legislature to provide for the better preservation of the public health is so universally admitted, that I cannot entertain any doubt upon this subject. I do not now remember of an instance reported in the books of reports of the decisions made by the judicial tribunals of the different States, where the power to pass laws of this kind has ever been questioned. In the State of New York a law was passed similar in its character to the one proposed, and authorizing the county courts to appoint commissioners to drain the bog meadows and swamps in Orange and Dutchess counties. The commissioners were involved in litigation in the exercise of their powers and duties, but in no instance was the constitutionality of the law called in question. The power of opening streets, laying out roads, &c., and assessing the damages, as well as taking into consideration in such assessment the benefit to result, has long been exercised, and although it has sometimes been questioned on constitutional grounds, so far as taking into consideration the increased value it would give to the property of individuals through which the improvements would pass, and deducting that from the damages ; yet these laws and the exer-

cise of the powers conferred, have been held uniformly to be constitutional.

I am, very respectfully,

Your obedient servant,

HENRY N. WALKER,

*Attorney General.*

*To the Speaker of the House of Representatives.*

On motion of Mr. Goodwin,

The communication and the bill to provide for draining swamps, marshes and other low lands, were referred to the committee of the whole and placed on the general order.

Mr. Goodrich, from the select committee on bills making appropriations of internal improvement lands, reported back, with an amendment, the bill making appropriation for improving the navigation of the Kalamazoo river, and the bill and amendment were referred to the committee of the whole and placed on the special order.

The following communication was announced:

SENATE CHAMBER,  
Detroit, February 18, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit a “bill amendatory to the act to provide for organizing an active militia, and for other purposes” which the Senate have passed, and “joint resolutions relative to the amount due the university fund from the county of Lenawee,” and “joint resolutions relative to laws and documents of the last legislature,” which the Senate have passed and in which the concurrence of the House is respectfully asked.

Also to return the “bill to amend an act entitled an act to provide for laying out a certain state road, approved March 6, 1844,” and to respectfully inform you that the Senate have passed the same.

Also to return the following entitled bills, and to respectfully inform you that the Senate have non-concurred therein:

A “bill to authorize the issue of new bonds for the outstanding part paid bonds of this state.”

A “bill to provide for funding the outstanding internal improvement fund warrants of this state,” and

A “bill for the relief of Thaddeus Smith.”

Your ob't serv't,

JAS. E. PLATT,

*Sec. Senate.*

The bill to amend an act entitled an act to provide for laying out a state road, approved March 6, 1844, was ordered to be enrolled.

The Senate bill amendatory to the act to provide for organizing an active militia and for other purposes, was read twice and referred to the committee on the militia.

The Senate joint resolutions relative to the amount due the university fund from the county of Lenawee, and the Senate joint resolution relative to laws and documents of the last legislature, were severally read twice and referred to the committee on state affairs.

On motion of Mr. H. Mower,

Leave was granted to Thaddeus Smith to withdraw his papers from the files of the House.

On motion of Mr. Adam,

The committee of the whole were discharged from the consideration of the bill to amend title twelve of the revised statutes of 1846, relative to the public lands, and the superintendence and disposition thereof.

And the bill being under consideration,

On motion of Mr. Glen,

The first section was amended by inserting after the word "two," in the second line, the word "four."

On motion of Mr. Noble,

The words "of an act entitled an act for revising and consolidating the general statutes of the state of Michigan," were inserted after the word "sixty," in the second line of section one, and the words "with said revised statutes," were stricken out of the second section, and "on and after the first day of March next," inserted.

The bill was then ordered to be engrossed and read the third time.

The House then resolved itself into committee of the whole on the special order,] Mr. Harris in the chair.

And after some time, the committee rose and by their chairman reported that they had had under consideration a bill to improve the navigation of the St. Joseph river, on which they had made some progress, and asked and obtained leave to sit again.

On motion of Mr. Miller,

The House adjourned till half past two o'clock this afternoon.

*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Eaton, Makley and Van Duser were absent on leave, and Messrs. Britain, Goodwin, Hebard, Marantett, H. Mower, Noble, O'Malley, J. D. Pierce, Seymour, Shaw, C. H. Taylor, Throop, Turner and Upton were absent without leave.

The House went into committee of the whole on the general order, Mr. Johnson in the chair.

After some time spent thereon, the committee rose and by their chairman reported back to the House without amendment,

A bill to repeal an act entitled an act to incorporate the Adrian Lyceum and Benevolent Association ;

A bill to authorize the board of auditors of Wayne county to build a jail ;

A bill to authorise Drusus Hodges to erect a dam across the Paw Paw River in the county of Van Buren ;

A bill to provide for the publication of a map of the State, and for other purposes ;

A bill to authorize Cyprian S. Hooker to erect a dam across the east branch of Flat River in the county of Kent ;

A joint resolution relative to the settlement of a claim of Patrick Larkins, and

A joint resolution relative to the claim of Nathaniel McSweeny.

The committee also reported back with amendments, in which the concurrence of the House was asked,

A bill to repeal the charter of the Borough of Michilimackinac ;

A bill to amend an act entitled an act to incorporate the Marshall and Union City Plank Road Company ;

A bill to amend an act entitled an act to incorporate the Battle Creek and Grand Rapids Rail Road Company, approved May 4, 1844, and

A bill authorizing Allen A. Rabineau to build a dam across the River Raisin in the county of Monroe.

The bill to repeal an act entitled an act to incorporate the Adrain Lyceum and Benevolent Association ;



The bill to authorize Cyprian S. Hooker to erect a dam across the east branch of Flat river in the county of Kent ;

The bill to authorize Drusus Hodges to erect a dam across the Paw Paw river in the county of Van Buren, and

The bill to provide for the publication of a map of the state, and for other purposes,

Were severally ordered to be engrossed for a third reading.

On motion of Mr. Johnson,

The bill to authorize the board of auditors of Wayne county to build a jail, was laid on the table.

On motion of Mr. Goodwin,

The joint resolution relative to the claim of Nathaniel McSweeney was amended by striking out of the second line the word "final," an inserting after the word "terms," in the third line, "and their decision thereon shall be final."

The joint resolution was then ordered to be engrossed and read the third time.

On motion of Mr. Fralick,

The joint resolution relative to the settlement of a claim of Patrick Larkins, was amended by striking out of the 2d line the word "final" and inserting "and their decision thereon shall be final," after the word "terms," in the third line.

The joint resolution was then ordered to be engrossed for a third reading.

The first amendment to the bill to amend an act entitled an act to incorporate the Battle Creek and Grand Rapids Railroad Company, approved May 4, 1846, was concurred in, and

The question being on concurring in the second amendment, which strikes out section four,

Mr. C. H. Taylor moved to amend the amendment by striking out of the first line of section four the words "twenty-six and twenty-seven."

Mr. Noble moved to amend the motion by adding to the words to be stricken out, the words "twenty-five," pending which,

On motion of Mr. Harris,

The House adjourned.

*Saturday, February 20, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Makley and Van Duser were absent on leave, and Messrs. Chubb, Coates, Goodwin, Hebard, Miller, Pond and Upton were absent without leave.

The journal of yesterday was read and approved.

**PETITIONS PRESENTED.**

By Mr. Van Duser. Of V. Edgerton and others, of the county of Hillsdale, for a plank road from Coldwater to Adrian. Laid on the table.

By Mr. C. H. Taylor. The remonstrance of David Stuart, and one hundred and ten others, against the passage of the Senate bill to amend section thirty-six, chapter thirty-six of the revised statutes of 1846. Referred to the committee of the whole.

By Mr. Fralick. Three several petitions of citizens of Wayne county, for the re-enactment of a law making a distinction between town and county poor. Referred to the committee on the judiciary.

By Mr. Noble. Of the Mayor, Alderman and Freemen of the city of Monroe, for an amendment to the charter of said city. Referred to the committee on banks and incorporations.

**REPORTS.**

Mr. Johnson, from the committee on banks and incorporations, submitted the following report, which was accepted and the committee discharged from the further consideration of the subject:

The committee on banks and incorporations to whom was referred a bill requiring the Auditor General to cancel certain securities executed to him under the general banking law, have had the same under consideration and have instructed me to report:

That there are suits now pending in the supreme court against the directors and stockholders of some of the banking associations, formed under the general banking law, the decision of which determines the validity of the securities sought to be cancelled by this bill.

And inasmuch as the action of the Legislature upon the subject could not change the nature of these securities, and at most only can-

cel a record which of itself can be of no force or effect. It is the opinion of a majority of your committee that any legislation upon the subject at present is inexpedient and improper, and therefore recommend that said bill do not pass.

On motion of Mr. Adam,

The bill requiring the Auditor General of the State to cancel certain securities executed to him under the general banking law, was laid on the table.

Mr. Fralick, from the committee on claims, reported a joint resolution relative to a settlement of the claims of Harry V. Man and Nathan N. Kendall, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Shaw, from the committee on agriculture and manufactures, submitted the following report, accompanied by a bill, which report was accepted, and the committee discharged from the further consideration of the subject:

The committee on agriculture and manufactures, to whom was referred the resolution of inquiry into the expediency of providing by law that no owner or occupant of land, be entitled to recover for any trespass or damage that may be done by any beast, unless said owner or occupant shall have a good and substantial fence, four feet and a half high, have had the same under consideration, and are of the opinion that the want of such a law has been long a just cause of complaint among the agricultural community, especially the settlers in the new counties, who are dependent in the first instance on the wild land for pasturage for their cattle.

Your committee believe every person under such circumstances, should be required to use some reasonable means for the protection of his property before he is entitled to recover damages for waste or trespass. They believe that such a measure is called for by the people. That it will be found beneficial in its operations, tending to suppress petty litigation, which so frequently disturbs the peace and harmony of community.

Your committee therefore, report the following bill and recommend its passage.

The bill to provide against the recovery of damages done by beasts on lands which are not enclosed with a lawful fence, was read twice,

referred to the committee of the whole, and placed on the general order.

Mr. Adam, from the committee on ways and means, submitted the following report and resolution ; which report was accepted, and the committee discharged from the further consideration of the subject:

The committee of ways and means, to whom was referred the following resolution:

*“Resolved,* That the committee on ways and means be instructed to inquire into the propriety of bringing in a bill to appropriate all of the internal improvement lands for the liquidation of our internal improvement debt.”

Would respectfully report : That under existing laws, they would be so applied, if not appropriated by further legislation to other purposes. There is now outstanding, in the form of land and internal improvement warrants, drawn expressly against appropriations of the above lands heretofore made, sufficient to absorb one third or more of such as remain unsold. There are also outstanding warrants and other evidences of state indebtedness, receivable by existing laws in payment for said lands, to an amount more than double what the remainder of these lands would liquidate. So long as these warrants, or other evidences of state indebtedness, can be obtained below par, by those wishing to purchase any of the above class of state lands, it is not to be supposed that much, if any money, will be paid in for them ; but should that be the case, your committee find that the internal improvement fund is indebted to, or in other words has used up of moneys belonging to other funds of the state, over two hundred thousand dollars, which can now only be re-imbursed from the sale of these lands and some few other assets belonging to the internal improvement fund. Although this legislature cannot bind any future one, perhaps by any action they might see fit to adopt in regard to those lands, so far as any pledge of applying them solely for the purpose of paying off a portion of our internal improvement debt by means of that sale is concerned, and without deciding upon or discussing the propriety of such a course, if within our power ; yet we can settle for ourselves the expediency of making any further special appropriations of these lands at the present session ; and for that purpose, the committee submit and recommend the adoption of the following resolution :

*Resolved*, That it is inexpedient at this session to make any further appropriations of internal improvement lands.

Mr. Goodrich moved to refer the resolution to the committee of the whole, which motion was lost by the following vote :

## YEAS.

Mr. Barker,  
Britain,  
Chubb,  
Coates,  
Culver,  
Driggs,  
Glen,  
Goodell,  
Goodrich,  
Goodyear,

Mr. Harris,  
Haydon,  
Johnson,  
Kelsey,  
Kilborn,  
Knight,  
Marantette,  
Miller,  
H. Mower,  
O'Malley,

Mr. Pond,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell,  
Upton,  
Speaker,

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## NAYS.

Mr. Adam,  
Arzeno,  
Bell,  
Brooks,  
Brown,  
Clark,  
Darrah,  
Davison,  
Deming,  
Dyckman,  
Eaton,  
Edmunds,

Mr. Faxon,  
Ferrington,  
Fralick,  
Goodwin,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Jones,  
Kinne,  
Lomis,  
McFarlan,

Mr. McGraw,  
Noble,  
D. Pierce,  
J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
Throop,  
Turner,  
Van Duser,  
Walker,

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Mr Pond moved to lay the resolution on the table, which motion was decided in the negative, by yeas and nays, as follows :

## YEAS.

Mr. Barker,  
Britain,  
Chubb,  
Coates,  
Culver,  
Driggs,  
Glen,  
Goodrich,  
Goodyear,

Mr. Harris,  
Haydon,  
Kelsey,  
Kilborn,  
Knight,  
Marantette,  
Miller,  
H. Mower,

Mr. O'Malley,  
Pond,  
Seymour,  
Shaw,  
Shook,  
Truesdell,  
Upton,  
Speaker,

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## NAYS.

Mr. Adam,  
Arzeno,  
Bell,  
Brooks,

Mr. Ferrington,  
Fralick,  
Goodell,  
Goodwin,

Mr. McGraw,  
Noble,  
D. Pierce,  
J. D. Pierce,

Brown,  
Clark,  
Darrah,  
Davison,  
Deming,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,

Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kinne,  
Lomis,  
McFarlan,

Price,  
Renwick,  
Seeley,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Turner,  
Van Duser,  
Walker, 39

The question being on the adoption of the resolution, it was adopted by the following vote :

## YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Brooks,  
Clark,  
Darrah,  
Davison,  
Deming,  
Dyckman,  
Eaton,  
Edmunds,  
Ferrington,

Mr. Fralick,  
Goodell.  
Goodwin,  
Hebard,  
Harrington,  
Jennings,  
Johnson,  
Kinne,  
Lomis,  
McGraw,  
G. W. Moore,  
Noble,

Mr. D. Pierce,  
J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
H. W. Taylor,  
Throop,  
Truesdell,  
Turner,  
Van Duser,  
Walker, 35

## NAYS.

Mr. Barker,  
Britain,  
Brown,  
Coates,  
Culver,  
Driggs,  
Faxon,  
Glen,  
Goodrich,  
Goodyear,

Mr. Harris,  
Haydon,  
Hollister,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Marantette,  
McFarlan,  
Miller,

Mr. H. Mower,  
O'Malley,  
Pond,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
Upton,  
Speaker, 29

Mr. Price, from the committee on engrossment and enrollment, reported that the following bills were correctly engrossed,

A bill to authorize Drusus Hodges to erect a dam across the Paw Paw river, in the county of Van Buren;

A bill to authorize Cyprian S. Hooker to erect a dam across the east branch of Flat river, in the county of Kent;

A bill to amend title number twelve of the revised statutes of 1846 relative to the public lands and the superintendence and disposition thereof;

A bill to repeal an act entitled an act to incorporate the Adrian Lyceum and Benevolent Association ;

A bill to provide for the publication of a map of the state, and for other purposes ;

A joint resolution relative to the settlement of a claim of Patrick Larkins ;

A joint resolution relative to the claim of Nathaniel McSweeney.

The House amendments to the Senate bill to abolish the office of acting commissioner of internal improvement, and for other purposes : and

The House amendments to the Senate bill to incorporate the Chipewa Portage Company.

Mr. Price, from the same committee, reported that the bill to amend an act entitled an act to provide for the laying out of a state road, approved March 6, 1844, was correctly enrolled, and was this day presented to the Governor for his approval.

A committee from the Senate was announced, consisting of Senators Toll and Schwarz, who tendered an invitation to the House to meet the Senate in their chamber on the twenty-second instant, to listen to the reading of Washington's Farewell Address, by Senator McReynolds.

The Speaker announced the following communications :

EXECUTIVE OFFICE,  
Detroit, February 20, 1847. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

"An act to authorize the supervisors of the county of Kent to construct a canal and locks around the Rapids of Grand River at Grand Rapids."

Also, "an act to change the name of John McIver of Grand Rapids in the county of Kent."

ALPHEUS FELCH.

SENATE CHAMBER,  
Detroit, February 19, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit "a bill to amend section two of chapter ninety-two of the revised statutes of 1846, rel-

ative to the election of county judge in case of vacancy," which the Senate have passed and in which the concurrence of the House is respectfully asked.

Your obedient servant,

JAMES E. PLATT,  
*Sec'y. of Senate.*

The Senate bill to amend section two of chapter ninety-two of the revised statutes of 1846, relative to the election of county judge in case of vacancy, was read twice, and

On motion of Mr. Goodwin,

Rules twenty-one and thirty-seven were suspended, that the bill might now be taken up for consideration.

Mr. Johnson moved that the further consideration of the bill be indefinitely postponed, which motion was lost, and

The bill was ordered to a third reading, read the third time, and,

On motion of Mr. Throop,

Referred to the committee on the judiciary, with instructions to inquire into the expediency of its enactment.

Mr. Fralick, pursuant to previous notice, asked and obtained leave to introduce a bill to amend chapter thirty eight of the revised statutes of 1846, entitled of the support of poor persons by counties, which was read twice and referred to the committee on state affairs.

On motion of Mr. Fralick,

Certain petitions presented by him this morning, and referred to the committee on the judiciary, were withdrawn from that committee and referred to the committee on state affairs.

Mr. Bell gave notice that on some future day he should ask leave to introduce a bill to amend chapter twenty of the revised statutes of 1846, relative to the return and sale of lands delinquent for taxes, and for other purposes.

On motion of Mr. Adam,

It was ordered that a committee of two be appointed to inform the Senate that the House accept their invitation to listen to the reading of Washington's Farewell Address, and tender to the Senate the use of the Hall of the House of Representatives for said purpose.

The Speaker appointed Messrs. Adam and J. D. Pierce such committee, who, after a short absence, returned and reported that they had discharged the duty assigned them.

Mr. Pond offered the following resolution :



*Resolved*, That on and after the twenty-second instant, this House will hold two sessions each day, the forenoon session commencing at half past nine o'clock, A. M., and the afternoon session at half past two o'clock P. M.

On motion of Mr. Britain,

The resolution was amended by striking out "half past nine" and "half past two," and inserting "ten" and "three."

On motion of Mr. Goodwin,

"Twenty second" was struck out and "twenty third" inserted.

The resolution as amended was then adopted.

On motion of Mr. Johnson,

The following resolution was taken from the table :

*Resolved*, the Senate concurring, That this Legislature will adjourn on the fourth day of March next, at twelve o'clock, noon.

On motion of Mr. Adam,

The resolution was amended by striking out "fourth," and inserting "first."

Mr. Fralick moved to strike out "at twelve o'clock, noon," which motion was lost,

And the resolution was then adopted.

Mr. Throop, by unanimous consent, introduced a bill to amend the revised statutes of 1846, in relation to the assignment of dower, which was read twice and referred to the committee on the judiciary.

Mr. Britain gave notice that on some future day he should ask leave to introduce a bill to amend chapter fifty-five of the revised statutes of 1846.

Mr. Brown gave notice that on some future day he should ask leave to introduce a joint resolution relative to school lands in township five south of range seven west, in the county of Branch.

On motion of Mr. Britain,

*Resolved*, That the committee on the state library be instructed to inquire into the expediency of providing by law for furnishing said library with the laws of the United States, and to prevent them from being removed from the capitol during future sessions of the legislature, and that said committee be permitted to report by bill or otherwise.

On motion of Mr. Goodwin,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of prohibiting county clerks and their deputies from practicing as attorneys and solicitors in the courts for which they are clerks and registers.

The bill to amend title number twelve of the revised statutes of 1846 relative to the public lands, and the superintendence and disposition thereof, was read the third time, and

On motion of Mr. Glen,

Recommitted to the committee on public lands with instructions to add a new section, to stand as section two, as follows :

“Sec. 2. Strike out the twenty-sixth section of chapter sixty of said act, and insert as follows : It shall be the duty of the commissioner to examine into the situation and condition of the university lands lying near Toledo, in the state of Ohio, and if in his opinion it would be advantageous to the fund to sell the said lands, or be proper to offer them for sale, he is hereby authorized so to do ; and in case it is deemed proper to offer said lands for sale, and the commissioner is of opinion that their value exceeds the minimum price of twelve dollars per acre, he may procure an appraisal of the same by three disinterested persons under oath, and the said lands shall be offered at such appraisal upon such terms and conditions of payment, and forfeiture as the commissioner may deem most advantageous to the fund : Provided, that notice of the offering of said lands at public sale shall be published in the newspapers of Toledo, and in the state paper at Detroit, and that none of said lands shall be sold at a less price than twelve dollars per acre.”

The following bills and joint resolutions were severally read the third time and passed :

A bill to provide for the publication of a map of the state, and for other purposes ;

A bill to authorize Drusus Hodges to erect a dam across the Paw Paw river, in the county of Van Buren ;

A bill to authorize Cyprian S. Hooker to erect a dam across the east branch of Flat river, in the county of Kent ;

A joint resolution relative to the settlement of a claim of Patrick Larkins ; and

A joint resolution relative to the claim of Nathaniel McSweeney.

The bill to repeal an act entitled an act to incorporate the Adrian Lyceum and Benevolent Association, was read the third time, and the question being on its passage, pending which,

Mr. Glen, from the committee on public lands, reported back the bill to amend title number twelve of the revised statutes of 1846, relative to the public lands and the superintendence and disposition thereof, amended in accordance with the instructions.

On motion of Mr. H. W. Taylor,

The House adjourned.

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*Monday, February 22, 1847.*

The House met pursuant to adjournment, and in the absence of the Speaker, was called to order by Mr. Glen.

Prayer by the Chaplain.

In the absence of the clerk, George B. Ensworth was,

On motion of Mr. Adam,

Appointed clerk pro tempore.

On calling the roll, Mr. Makley was absent on leave, and Messrs. Chubb, Goodrich, Kilborn, Lomis, H. Mower and Noble, were absent without leave.

The journal of Saturday was read and approved.

Mr. Pond announced to the House that Hon. ELIJAH B. WITHERBEE, a Senator from the sixth Senatorial district, expired at his lodgings in this city on Saturday afternoon, when

On motion of Mr. H. W. Taylor,

The following preamble and resolutions were unanimously adopted:

*Whereas*, Divine Providence has removed, by sudden death, the Hon. ELIJAH B. WITHERBEE, a member of the Senate of this state ;

*And whereas*, The occasion demands a suitable expression of our sense of that afflictive dispensation ; therefore

*Resolved*, That the members and officers of this House will wear the usual badge of mourning during the residue of the session.

*Resolved*, That this body do deeply sympathise with the widow and family of the deceased in their painful and heartrending bereavement.

*Resolved*, That copies of the above resolutions be forwarded by the Clerk of this House to the friends of the deceased.

*Resolved*, That as a further tribute to the memory of the deceased this House do now adjourn.

And the House adjourned to meet again at twelve o'clock.

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*Twelve o'clock, M., Feb. 22, 1847.*

The House met pursuant to adjournment, and was called to order by Mr. Glen, in the absence of the Speaker.

The roll was called, and Mr. Makley was absent on leave, and Messrs. Brooks, Chubb, Goodrich, Haydon, Johnson, Jones, Lomis, McFarlan, H. Mower, J. D. Pierce, Seymour, C. H. Taylor, Turner and Van Duser were absent without leave.

On motion of Mr. Goodwin,

A committee of two was appointed, to inform the Senate that the House was now ready to meet them in joint convention, to listen to the reading of Washington's Farewell Address, in pursuance of the arrangements for that purpose, made on Saturday, and to wait on that body to the House.

The Speaker *pro tem.* appointed as such committee Messrs. Goodwin and Noble, who, after a short absence, returned and reported that they had discharged the duty assigned them.

The Honorable the Senate of the state of Michigan were then announced, and were conducted to the seats assigned them.

The Battalion of Frontier Guards, invited guests, were received and seated within the House.

#### PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the President of the Senate.

Music—Washington's March—by the Military band.

Washington's Farewell Address was then read by Senator McReynolds.

Mr. Adam offered the following resolution, which was unanimously adopted :

*Resolved*, That the thanks of this joint convention, on behalf of themselves and their invited guests, are hereby tendered to the Hon. A. T. McReynolds, for the eloquent and impressive manner, in which he has just read the Farewell Address of the Father of his Country.

On motion of Mr. Goodwin,

The following resolution was unanimously adopted :

*Resolved*, That the thanks of this convention be tendered to the officers, musicians and privates of the battalion of Frontier Guards for their attendance on this occasion.

Music by the band.

On motion of Senator Robinson,

The joint convention adjourned *sine die*.

JAS. E. PLATT,

*Sec'y. of Senate.*

A. W. HOVEY,

*Clerk of House of Reps.*

The House having been called to order,

On motion of Mr. Goodwin, it then adjourned.

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*Tuesday, February 23, 1847.*

The House met pursuant to adjournment, and in the absence of the Speaker, was called to order by Mr. Glen.

Prayer by the Chaplain.

The roll was called, and Messrs. Goodrich, Lomis and Makley were absent on leave, and Messrs. Brooks, Hebard and Kilborn were absent without leave.

Mr. Noble asked and obtained leave of absence for the Speaker of the House for the day.

On motion of Mr. Noble,

Mr. Glen was appointed Speaker *pro tempore*.

Mr. Haydon asked and obtained leave of absence for Mr. Kilborn for the day.

Mr. Harrington for Mr. Brooks for an indefinite period.

The journal of yesterday was read and corrected.

PETITIONS PRESENTED.

By Mr. Goodyear. The remonstrance of citizens of Barry county against appropriating highway taxes on the state road leading from Bellevue to Hastings. Referred to the committee on roads and bridges.

By Mr. Van Duser. The petition of John Snick and others, for the incorporation of a company to construct a plank road from Adrian to Coldwater. Referred to the committee of the whole.

By Mr. Hebard. The memorial of James Taylor and Alvin N

Hart, relative to certain school lands. Referred to the committee on public lands.

By Mr. Throop. The claim of Ellis & Briggs for damages sustained on state printing in 1843. Referred to the committee on claims.

By Mr. Jones. The memorial of Ebenezer M. Miller, asking payment for time while confined in the state prison. Referred to a select committee of three, consisting of Messrs. Jones, C. H. Taylor and Harris.

By Mr. C. H. Taylor. The petition of H. S. Jackson and other citizens of Kent county, for a reduction in the price of certain school lands. Referred to the committee on public lands.

Also, of U. W. Caukin and thirty-five others, in relation to a certain state road in the county of Kent. Referred to the committee on roads and bridges.

#### REPORTS.

Mr. Johnson from the committee on banks and incorporations reported a bill to amend an act entitled an act to incorporate the city of Monroe; a bill to amend an act entitled an act to incorporate the village of Grand Rapids, and a bill to incorporate the Raisin Institute, which bills were severally read twice, referred to the committee of the whole and placed on the general order.

Mr. Johnson, from the same committee, reported back the petition of Darius C. Jackson, and one hundred and eight others, for the incorporation of a company to construct a plank road from the village Harrison, in the county of Lenawee, to the village of Jackson, and reported adverse to the prayer of the petition, which report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Johnson, from the same committee, reported back without amendment, the bill to incorporate the Kearsley Branch Railroad Company, and the bill to consolidate the several acts relative to the village of Jackson, and on his motion, the bills were laid on the table.

Mr. Johnson, from the same committee, reported back the resolution instructing the committee to inquire into the expediency of passing a general law in relation to plank roads, and asked to be discharged from the further consideration of the subject, and

On motion of Mr. Edmunds,

The resolution was recommitted to the committee with instructions to bring in a bill on the subject.

Mr. Turner, from the joint committee on the state prison, submitted a report, which was accepted and the committee discharged.

On motion of Mr. Adam,

The report was laid on the table and three hundred extra copies ordered to be printed.

Mr. Noble, from the committee on the judiciary, reported a joint resolution in relation to the claim of Cyrus Dana, Rodney C. Paine, and Job Brookfield, for relief, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Noble from the same committee, reported back the petition of the supervisors of Washtenaw county, for the passage of a law to abolish appeals from boards of supervisors, and also a resolution instructing the committee to inquire into the expediency of the enactment of such a law, and reported that no action on the part of the House was now necessary, a bill on that subject having already passed.

Mr. Noble, from the same committee, reported back without amendment, the bill to authorize the minor heirs of the late Martha Town, deceased, to release their claims to a certain tract of land, and asked to be discharged from its further consideration, which report was accepted and the committee discharged, and

On motion of Mr. H. Mower,

The bill was referred to the committee of the whole and placed on the general order.

Mr. Noble from the same committee, reported back without amendment and recommended its passage, the Senate bill to amend section two of chapter ninety-two of the revised statutes of 1846, relative to the election of county judge in case of vacancy, and the bill having already been read the third time, was passed.

Mr. Noble, from the same committee, reported back certain resolutions of inquiry into the expediency of reducing fees of officers, and asked to be discharged from the further consideration of the subject, which report was accepted, and the committee discharged.

Mr. Noble, from the same committee, reported back a resolution of

Hart, relative to certain school lands. Referred to the committee on public lands.

By Mr. Throop. The claim of Ellis & Briggs for damages sustained on state printing in 1843. Referred to the committee on claims.

By Mr. Jones. The memorial of Ebenezer M. Miller, asking payment for time while confined in the state prison. Referred to a select committee of three, consisting of Messrs. Jones, C. H. Taylor and Harris.

By Mr. C. H. Taylor. The petition of H. S. Jackson and other citizens of Kent county, for a reduction in the price of certain school lands. Referred to the committee on public lands.

Also, of U. W. Caukin and thirty-five others, in relation to a certain state road in the county of Kent. Referred to the committee on roads and bridges.

#### REPORTS.

Mr. Johnson from the committee on banks and incorporations reported a bill to amend an act entitled an act to incorporate the city of Monroe; a bill to amend an act entitled an act to incorporate the village of Grand Rapids, and a bill to incorporate the Raisin Institute, which bills were severally read twice, referred to the committee of the whole and placed on the general order.

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Mr. Johnson, from the same committee, reported back without amendment, the bill to incorporate the Kearsley Branch Railroad Company, and the bill to consolidate the several acts relative to the village of Jackson, and on his motion, the bills were laid on the table.

Mr. Johnson, from the same committee, reported back the resolution instructing the committee to inquire into the expediency of passing a general law in relation to plank roads, and asked to be discharged from the further consideration of the subject, and



On motion of Mr. Edmunds,

The resolution was recommitted to the committee with instructions to bring in a bill on the subject.

Mr. Turner, from the joint committee on the state prison, submitted a report, which was accepted and the committee discharged.

On motion of Mr. Adam,

The report was laid on the table and three hundred extra copies ordered to be printed.

Mr. Noble, from the committee on the judiciary, reported a joint resolution in relation to the claim of Cyrus Dana, Rodney C. Paine, and Job Brookfield, for relief, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Noble from the same committee, reported back the petition of the supervisors of Washtenaw county, for the passage of a law to abolish appeals from boards of supervisors, and also a resolution instructing the committee to inquire into the expediency of the enactment of such a law, and reported that no action on the part of the House was now necessary, a bill on that subject having already passed.

Mr. Noble, from the same committee, reported back without amendment, the bill to authorize the minor heirs of the late Martha Town, deceased, to release their claims to a certain tract of land, and asked to be discharged from its further consideration, which report was accepted and the committee discharged, and

On motion of Mr. H. Mower,

The bill was referred to the committee of the whole and placed on the general order.

Mr. Noble from the same committee, reported back without amendment and recommended its passage, the Senate bill to amend section two of chapter ninety-two of the revised statutes of 1846, relative to the election of county judge in case of vacancy, and the bill having already been read the third time, was passed.

Mr. Noble, from the same committee, reported back certain resolutions of inquiry into the expediency of reducing fees of officers, and asked to be discharged from the further consideration of the subject, which report was accepted, and the committee discharged.

Mr. Noble, from the same committee, reported back a resolution of

resolution relative to the settlement of a claim of James Kelly ; and a bill to provide for the payment of George A. Robinson; which bill and joint resolutions were severally read twice, referred to the committee of the whole, and placed on the general order.

Mr. Goodwin, from the committee on state affairs, reported back with amendments, the Senate joint resolution relative to the amount due the university fund from the county of Lenawee, and the resolution and amendments were referred to the committee of the whole and placed on the general order.

Mr. Goodwin, from the same committee, reported back without amendment, the Senate joint resolution relative to laws and documents of the last legislature, and recommended that it do not pass, which report was accepted and the committee discharged from the further consideration of the subject.

The question then being on ordering the resolution to be read the third time, it was decided in the negative.

Mr. Hebard, from the committee on roads and bridges, reported a bill appropriating certain highway taxes for the improvement of road in the counties of Van Buren and Berrien, and a bill to amend an act entitled an act to provide for the laying out and establishing a state road and for other purposes ; which bills were severally read twice, referred to the committee of the whole, and placed on the general order.

Mr. Bell, pursuant to previous notice, asked and obtained leave to introduce a bill to amend chapter twenty of the revised statutes of 1846, relative to the return and sale of lands delinquent for taxes, and for other purposes, which was read twice, when Mr. Bell moved to refer it to committee of the whole.

Mr. Eaton moved to amend the motion by referring to committee on ways and means, which amendment was rejected by the following vote :

#### YEAS.

Mr. Adam,  
Arzeno,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,

Mr. Glen,  
Harrington,  
Hollister,  
Jones,  
Knight,  
McFarlan,

Mr. G. W. Moore,  
Noble,  
J. D. Pierce,  
Shaw,  
H. W. Taylor,  
17

## NAYS.

Mr. Barker,  
Bell,  
Britain,  
Brown,  
Chubb,  
Clark,  
Contes,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Dyckman,

Mr. Goodell,  
Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Hebard,  
Johnson,  
Kelsey,  
McGraw,  
Miller,  
H. Mower,  
D. Pierce,

Mr. Pond,  
Price,  
Renwick,  
Seeley,  
Seymour,  
Shook,  
C. H. Taylor,  
Turner,  
Upton,  
Van Duser,  
Walker,

35

Mr. Goodwin moved to amend, by referring to a select committee of five, which motion was lost, and the question recurring on the motion to refer to the committee of the whole, it prevailed, and the bill was so referred.

Mr. Britain, pursuant to previous notice, asked and obtained leave to introduce a bill to amend chapter fifty-five of the revised statutes of 1846, which was read twice and referred to the committee on the judiciary.

Mr. Price gave notice that on some future day he should ask leave to introduce a bill to amend chapter one hundred and twelve of the revised statutes of 1846.

Mr. Pond, by unanimous consent, previous notice not having been given, introduced a joint resolution relative to the distribution of the session laws, journals and documents of the legislature of 1847, which was read twice and referred to the committee on the state library.

Mr. Goodwin, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Marshall and Bellevue Plank Road Company, which was read twice and referred to the committee on banks and incorporations.

On motion of Mr. McFarlan,

Leave was granted to John Blindbury to withdraw from the files of this House the papers relative to his claim.

Mr. Brown, pursuant to previous notice, asked and obtained leave to introduce a joint resolution relative to certain primary school lands in the county of Branch, which was read twice and referred to the committee on public lands.

Mr. Fralick gave notice that on some future day he should ask leave to introduce a bill to amend chapter forty-one of the revised stat-

utes of 1846, entitled of taverns and other licensed houses.

Mr. Kelsey gave notice that on some future day he should ask leave to introduce a bill to extend the Shiawassee branch of the Pontiac and Genesee rail road to the township of Lansing, in the county of Ingham.

On motion of Mr. Seymour,

*Resolved*, That the committee on ways and means be instructed to inquire and report to this House, whether the assessment of the taxes for the year 1846, by the assessors of the township of St. Mary's, in Chippewa county, within the unorganized counties of Schoolcraft, Marquette and Ontonagon, made under an act entitled an act to change the time for the collection of taxes in the county of Chippewa, and for other purposes, approved April 28, 1846, was legal, and if so to report a bill to provide for their collection.

Mr. Britain, by unanimous consent, introduced a joint resolution proposing amendments to article twelve of the constitution of Michigan, which was read twice, referred to the committee of the whole and placed on the general order.

On motion of Mr. Harrington,

The bill to attach the township of Polk, in the county of Huron, to the township of Lexington, in the county of St. Clair, was taken from the table.

The Senate bill to abolish the office of acting commissioner of internal improvement, and for other purposes, was read the third time and passed.

The Senate bill to incorporate the Chippewa Portage Company, was read the third time, when

Mr. Upton moved to lay it on the table, which motion was lost.

Mr. Harrington moved an adjournment, but the House refused to adjourn.

The question then being on the passage of the bill, it was not passed by the following vote:

#### YEAS

Mr. Adam,  
Burker,  
Britain,  
Brown,  
Chubb,  
Dyckman,  
Eaton,  
Faxon,

Mr. Goodell,  
Goodwin,  
Harrington,  
Johnson,  
Kelsey,  
Knight,  
Mr. Farlan,  
G. W. Moore,

Mr. H. Mower,  
O'Malley,  
H. W. Taylor,  
Throop,  
Turner,  
Van Duser,  
Walker,

## NAYS.

Mr. Arzeno,  
Bell,  
Clark,  
Coates,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Ferrington,  
Fralick,  
Glen,

Mr. Goodyear,  
Harris,  
Haydon,  
Hebard,  
Hollister,  
Jennings,  
Kinne,  
Marantette,  
McGraw,  
Miller,  
Noble,

Mr. D. Pierce,  
Pond,  
Price,  
Renwick,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
Truesdell,  
Upton,

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On motion of Mr. Arzeno,

The House adjourned,

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*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker *pro tempore*.

On calling the roll, Messrs. Brooks, Goodrich, Kilborn, Lomis and Makley were absent on leave, and Messrs. Driggs, Eaton, Harris, Kelsey, H. Mower, J. D. Pierce and C. H. Taylor were absent without leave.

Mr. H. W. Taylor asked and obtained leave of absence for Mr. J. D. Pierce for the day.

UNFINISHED BUSINESS.

The House took up the bill to repeal an act entitled an act to incorporate the Adrian Lyceum and Benevolent Association, and the question being on its passage, when

Mr. Noble moved to recommit the bill to the committee on banks and incorporations, with instructions to strike out all after the enacting clause, and to so amend the bill as to provide against all abuses of the original franchises granted, and to amend the ninth section of the act proposed to be repealed so as to provide for an examination into all the proceedings and doings of said corporation.

Mr. H. Mower moved to amend the instructions by adding thereto the following: "That the legislature shall at all times be permitted to visit said Association without paying the usual fees of initiation, and making members of the legislature ex-officio members of said Association," which motion was lost.

The question recurring on the motion to recommit with instructions, it was decided in the negative.

The question then being on the passage of the bill, it was lost by the following vote:

## YEAS.

Mr. Chubb,  
Driggs,  
Edmunds,  
Goodwin,

Mr. Hollister,  
Johnson,  
D. Pierce,  
Price,

Mr. Renwick,  
H. W. Taylor,  
Truesdell,  
Turner, 12

## NAYS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Britain,  
Brown,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Dyckman,  
Eaton,  
Faxon,

Mr. Ferrington,  
Fralick,  
Glen,  
Goodell,  
Goodyear,  
Haydon,  
Hebard,  
Harrington,  
Jennings,  
Jones,  
Kelsey,  
Kinne,  
Knight,  
Marantette,  
McFarlan,

Mr. McGraw,  
Miller,  
G. W. Moore,  
Noble,  
O'Malley,  
Pond,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
Throop,  
Upton,  
Van Duzer,  
Walker, 44

The bill to amend title number twelve of the revised statutes of 1846, relative to the public lands and the superintendence and disposition thereof, was taken up and passed, and the question being on its title, the same was,

On motion of Mr. Adam,

Amended by striking out the words "title number twelve," and inserting "chapter sixty."

The bill to attach the township of Polk, in the county of Huron, to the township of Lexington, in the county of St. Clair, was taken up; and the question being on its passage,

Mr. Goodwin moved to lay it on the table, which motion was lost.

And the bill was passed by the following vote:

## YEAS.

Mr. Adam,  
Barker,  
Bell,  
Clark,  
Coates,

Mr. Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,

Mr. Pond,  
Price,  
Renwick,  
Seeley,  
Seymour,

Culver, Darrah, Davison, Deming, Dyckman, Ferrington, Fralick, Goodyear,	Jones, Kelsey, Knight, McGraw, Miller, H. Mower, Noble, O'Malley, NAYS.	Shaw, Shook, H. W. Taylor, Throop, Truesdell, Turner, Upton, Walker,	39
Mr. Arzeno, Britain, Brown, Chubb, Driggs,	Mr. Eaton, Glen, Goodell, Goodwin, Johnson,	Mr. Kinne, Marantette, G. W. Moore, D. Pierce, Van Duser,	15

The question being on the title of the bill,

On motion of Mr. Adam,

It was amended by striking therefrom the words "the township of Polk, in."

The House then took up the bill to amend an act entitled an act to incorporate the Battle Creek and Grand Rapids Railroad Company, approved May 4, 1846, and the question being on the motion of Mr. C. H. Taylor to amend the amendment of the committee of the whole striking out the fourth section, by striking out of the first line of said section, the words "twenty-six and twenty-seven," it was decided in the affirmative.

On motion of Mr. Edmunds,

The amendment was further amended by striking out of the fifth line of section four, the words "the citizens," and inserting "any citizen."

On motion of Mr. Britain,

The amendment was further amended, by striking out of the same line, the word "citizen," and inserting "inhabitant."

The question then recurring on concurring in the amendment made in committee of the whole, striking out section four, it was non-concurred in.

On motion of Mr. C. H. Taylor,

Section five was stricken out, and the following inserted :

"Sec. 5. That section twenty-seven be so amended as to read as follows : The legislature may at any time alter, amend or repeal the charter of said company after twenty years from the passage of this act, or at any time for a violation of their charter".

Mr. Edmunds moved to strike out all of section one after the enacting clause, which motion was lost, and the bill was ordered to be engrossed, and read the third time.

The bill to authorize Allen A. Rabineau, to build a dam across the River Raisin in the county of Monroe, was taken up, the amendments made in committee of the whole concurred in, and the bill ordered to be engrossed and read the third time.

The bill to amend an act entitled an act to incorporate the Marshall and Union City Plank Road Company was taken up, and the amendments made in committee of whole were concurred in.

On motion of Mr. Goodwin,

The following proviso was added to section two : " Provided, the Michigan Central Railroad Company assent to the construction of said road."

On motion of Mr. Adam,

Section five was amended by adding thereto the following: "Which tax shall be paid into the state treasury on or before the last week in January in each year."

The bill was ordered to be engrossed and read the third time.

The House took up the bill to repeal the charter of the borough of Michilimackinac, and the amendment made in committee of whole was concurred in.

On motion of Mr. Adam,

The following was added to section two : "and if not raised or granted for any other specific purpose, the same shall be used and expended for the purposes of education."

The bill was then ordered to be engrossed and read the third time.

Mr. H. Mower, by unanimous consent, introduced a bill to provide for the relief of purchasers of university and primary school lands, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Jones, from the select committee to whom was referred the petition of Ebenezer M. Miller, by common consent, reported a bill for the relief of Ebenezer M. Miller, which was read twice, referred to the committee of the whole, and placed on the general order.

On motion of Mr. O'Malley,

The House adjourned.



*Wednesday, February 24, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Brooks, Goodrich and Lomis were absent on leave, and Messrs. Dyckman, Edmunds, Faxon, Harris, Johnson, H. Mowor, Renwick and Walker were absent without leave.

Mr. Barker asked and obtained leave of absence for Mr. H. Mowor for an indefinite period, and for Mr. Dyckman for the day.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Kelsey. Of L. Fuller, William J. Wells and fifty others, for the division of the state into single senatorial and representative districts. Laid on the table.

By Mr. Bell. The remonstrance of John L. Morse and others, against any alteration in a certain state road. Referred to the committee on roads and bridges.

By Mr. C. H. Taylor. The remonstrance of William Livingston and twenty-five others, against a division of the township of Plainfield in the county of Kent. Laid on the table.

The Speaker announced the following communication :

EXECUTIVE OFFICE,  
*Detroit, February 24, 1847.* }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, "an act to amend an act entitled an act to provide for the laying out of a state road, approved March sixth, eighteen hundred and forty-four."

ALPHEUS FELCH.

Mr. Glen, from the committee on public lands, by unanimous consent, submitted the following report, which was read, accepted and the committee discharged from the further consideration of the subject:

The committee on public lands, to whom was referred a resolution instructing them "inquire into the propriety of bringing in a bill the provisions of which shall enable the original purchasers of all forfeited school lands who have not received redress from the state, to repurchase in whole or in part, in case the same shall be still held by

the state, and in cases where such lands have subsequently been sold by the state, to purchase such other school lands as the said purchaser may elect, being held subject to private entry, and that such purchasers be charged for the lands repurchased the minimum price of school lands at the time being, and be allowed in payment for the same, such sums as they have heretofore forfeited to the state," respectfully report:

That the legislature has from year to year passed laws extending the time for the payment of interest on purchases of school lands, and thus affording the purchaser temporary relief. That notwithstanding this there have been payments on the school lands, principal and interest, amounting to \$52,424 43 forfeited upon contracts, and now is a part and parcel of the school fund, to which no legal or equitable rights remain. If this position is correct, then the redress suggested by the resolution cannot be granted except by donating 18,108 acres Primary school lands, which, although the object may be ever so praiseworthy, is a power that cannot be rightfully exercised by the legislature. But assuming that the legislature has the power, the adoption of this principle would be productive of serious injury to the several funds; and should it be carried out now, we can see no reason why subsequent legislatures cannot with equal propriety, grant similar redress, to the amount of payments forfeited hereafter, which policy would leave the state without the least surety for the performance of any past or future contract.

Of the nature and object of the grant of university and primary school lands from the United States to this state, your committee deem it unnecessary to speak, as much has already been written on the subject by those who are more capable. With these views your committee think it inexpedient to report by bill, as the resolution suggests. And although they will not at this stage of the session suggest any general legislation in regard to the university and primary school lands, yet they feel assured, that there are several cases that call for the favorable action of the legislature, and which your committee have instructed me to report favorably upon.

All of which is respectfully submitted, &c.

Mr. Glen, from the same committee, by unanimous consent, reported back the joint resolution for the relief of Harvey Sherman,

without amendment and recommended its passage, and the joint resolution was read the third time and passed.

Mr. Glen, from the same committee, by unanimous consent, reported back with an amendment, and recommended its passage, the Senate bill to restore certain forfeited rights to A. Hamilton Smith and Dempster B. Wood, which report was accepted, the committee discharged from the further consideration of the subject, and the bill and amendment were referred to the committee of the whole, and placed on the general order.

Mr. Glen, from the same committee, submitted the following report, which was read, accepted, and the committee discharged from the further consideration of the subject :

The committee on public lands, to whom was referred so much of the Governor's message "as relates to the policy of selling the mineral state lands," have had the same under consideration, and respectfully report :

That in their opinion it is not correct policy for the state, in a pecuniary or any other point of view, to practice a system of leasing her mineral or other lands. But as the locations made by the state, in the mineral region, have not been confirmed, your committee think, that any legislation at this time with regard to said mineral lands, will be premature. All of which is respectfully submitted.

Mr. Glen, from the same committee, by unanimous consent, reported a joint resolution for the relief of Henry Willis, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Noble, from the committee on judiciary, by unanimous consent, reported back, without amendment, and recommended its passage, the bill to amend chapter fifty-five of the revised statutes of 1846 ; and the bill was referred to committee of the whole and placed on the general order.

Mr. Glen, from the committee on the militia, by unanimous consent, reported back without amendment and recommended its passage, the Senate bill amendatory to the act to provide for organizing an active militia, and for other purposes ; and the bill was referred to the committee of the whole and placed on the general order.

Mr. Glen, from the same committee, by unanimous consent, report-

ed back without amendment, the bill to amend an act entitled an act to provide for organizing an active militia, and for other purposes, approved May 18, 1846, and reported adverse to its passage; which report was accepted, and the committee discharged from the further consideration of the subject; and

On motion of Mr. Fralick,

The bill was laid on the table.

Mr. H. W. Taylor, from the committee on the state library, by unanimous consent, reported back without amendment, and recommenced its passage, the joint resolution relative to the distribution of the session laws, journals and documents of the legislature of 1847; and it was read the third time and passed.

Mr. Johnson, from the committee on banks and incorporations, by unanimous consent, reported back without amendment and recommended its passage, the bill to incorporate the Marshall and Bellevue Plank Road Company; which bill was referred to the committee of the whole and placed on the general order.

Mr. Fralick, by unanimous consent, introduced a bill to amend chapter forty-one of the revised statutes of 1846, entitled of taverns and other licensed houses, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Price, by unanimous consent, introduced a bill to amend chapter one hundred and twelve of the revised statutes of 1846, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Goodwin, from the committee on state affairs, by unanimous consent, reported back a resolution of inquiry into the expediency of providing by law that taxes shall be paid to the county treasurers of the counties in which the lands are situated, and also sundry petitions on the same subject, and they were referred to the committee of the whole.

On motion of Mr. J. D. Pierce,

The bill to repeal the charter of the Kalamazoo Mutual Insurance Company was taken from the table.

Mr. Deming moved a reconsideration of the vote by which the Senate bill to incorporate the Chippewa Portage Company was lost, and

On motion of Mr. Adam,

The motion to reconsider was laid on the table.

Mr. Kelsey, by unanimous consent, introduced a bill to provide for the reassessment of certain taxes for the year 1844, in the township of Burns, in the county of Shiawassee, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Goodyear moved that the House adjourn, which motion was lost.

Mr. Britain moved that the committee of the whole be discharged from the consideration of the bill to provide for the relief of purchasers of university and primary school lands, and that it be referred to the committee on public lands, which motion did not prevail.

Mr. Adam, by unanimous consent, introduced a bill to amend chapter twenty-one of the revised statutes of 1846, relative to specific state taxes and duties, which was read twice, referred to the committee of the whole and placed on the general order.

On motion of Mr. Haydon,

The House adjourned.

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*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Brooks, Dyckman, Goodrich, Lomis, and H. Mower were absent on leave, and Messrs. Arzeno, Chubb, Darrah, Deming, Faxon, Harris, Haydon, Hebard, Harrington, Johnson, Kilborn, McFarlan, Noble, Pond, Seymour, C. H. Taylor, Turner, Upton and Walker were absent without leave.

Mr. Britain asked and obtained leave of absence for Mr. Walker for the day.

Mr. O'Malley asked for leave of absence for Mr. Arzeno for the day, which was not granted.

The bill to repeal the charter of the Kalamazoo Mutual Insurance Company, came up as unfinished business, and was,

On motion of Mr. Adam, laid on the table.

The House resolved itself into committee of the whole on the general order Mr. Goodwin in the chair.

After some time spent thereon, the committee rose and by their chairman reported back to the House without amendment,

A bill for the preservation and leasing of the Clinton and Kalamazoo Canal.

The committee also reported back with an amendment, in which

the concurrence of the House was asked, a bill imposing penalties for obstructing the passage of fish in navigable streams, and reported that they had had under consideration, joint resolutions to amend the constitution, on which they had made some progress, and asked and obtained leave to sit again.

The amendment, striking out all after the enacting clause, to the bill imposing penalties for obstructing the passage of fish in navigable streams was concurred in by the following vote :

## YEAS.

Mr. Barker,	Mr. Goodyear,	Mr. Pond,
Brown,	Hebard,	Price,
Chubb,	Hollister,	Seeley,
Clark,	Johnson,	Shaw,
Coates,	Makley,	Shook,
Culver,	McFarlan,	C. H. Taylor,
Darrah,	McGraw,	H. W. Taylor,
Faxon,	Miller,	Throop,
Fralick,	O'Malley,	Van Duser,
Glen,		

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## NAYS.

Mr. Adam,	Mr. Goodell,	Mr. Noble,
Britain,	Goodwin,	D. Pierce,
Deming,	Jennings,	Renwick,
Driggs,	Kelsey,	Truesdell,
Eaton,	Marantette,	Speaker,
Edmunds,		

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On motion of Mr. Johnson,

The consideration of the enacting clause was indefinitely postponed.

On motion of Mr. Britain,

The House adjourned.

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*Thursday, February 25, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Brooks and Goodrich were absent on leave, and Messrs. Arzeno, Harrington and Noble were absent without leave.

Mr. Darrah asked and obtained leave of absence for Mr. Arzeno for the day.

The journal of yesterday was read and approved.

## PETITIONS PRESENTED.

By Mr. Miller. Of Thomas McCarty and thirty-five other citizens of the township of Tittabawassee, in Saginaw county, against a division of said township. Laid on the table.

By Mr. H. Mower. Of S. W. Mills and others, for a renewal of the charter of the Farmers' and Mechanics' Bank of Michigan. Laid on the table.

By Mr. Goodyear. Of V. Youngs and forty-two other citizens of Barry county, for a homestead exemption. Referred to the committee on state affairs.

By Mr. C. H. Taylor. The remonstrance of Doctors Ellis and Wheaton against the passage of the Senate bill to amend section thirty-six of chapter thirty-six of the revised statutes of 1846, relating to medical societies. Referred to the committee of the whole.

By Mr. Goodwin. The petition of John D. and S. C. Worden in reference to a school land forfeiture in the county of Calhoun. Referred to the committee on public lands.

Mr. J. D. Pierce, from the committee on federal relations, to whom had been referred a resolution of inquiry into the amount of land to which this state would be entitled from the general government, to put her on an equal footing with the other new western states, &c., and also a joint resolution relative to an appropriation of land by congress for the construction of roads in northern Michigan, submitted a report, accompanied by a substitute for the joint resolution.

The report was read, accepted and the committee discharged from the further consideration of the subject.

On motion of Mr. Miller,

The report was laid on the table, and one thousand extra copies ordered to be printed.

The joint resolutions relative to the public lands and the patronage of the general government, were read twice, referred to the committee of the whole and placed on the general order.

Mr. Price, from the committee on engrossment and enrollment, reported that the following bills were correctly engrossed :

A bill to amend an act entitled an act to incorporate the Marshall and Union City plank road company ;

A bill to amend an act entitled an act to incorporate the Battle

Creek and Grand Rapids rail road company, approved May 4, 1846 ;

A bill to repeal the charter of the Borough of Michilimackinac, and

A bill authorizing Allen A. Rabineau to build a dam across the river Raisin, in the county of Monroe.

On motion of Mr. H. W. Taylor,

The report of the committee on the state library on the communications of Alexander Vattemare, Esq., of Paris, was taken from the table, and the communications were ordered to be printed.

Mr. H. W. Taylor, from the committee on the state library, submitted as a substitute for the report of the committee on said communications, a joint resolution relative to the transmission of documents to Alexander Vattemare, of Paris, which joint resolution was read twice, referred to the committee of the whole and placed on the general order.

Mr. Adam, from the committee on ways and means, by unanimous consent, submitted the following report, which was read, accepted, and the committee discharged from the further consideration of the subject :

The committee on ways and means, who were instructed to inquire whether the assessment of taxes for 1846, by the assessor of the township of St. Mary's, in Chippewa county, within the unorganized counties of Schoolcraft, Marquette and Ontonagon, made under an act to change the time for the collection of taxes in the county of Chippewa, approved April 28, 1846, was legal, would respectfully report that they find in said act no authority for the supervisor or assessor of said township to extend their assessment beyond the limits of their own proper township. The only provision purporting to extend any jurisdiction by the officers of the township of St. Mary's over the above unorganized counties, for purposes of taxation or otherwise, is to be found in the sixth section of the aforesaid act ; but that only authorizes the township treasurer to cause taxes to be collected in the above counties, until some township organization should be had in one or more of said counties. This power, however, must be entirely inoperative, unless the proper officer or officers of the above mentioned township had also been authorized to make an assessment in said counties, or unless said counties had been attached for township purposes to the township of St. Mary's, neither of which provisions were



made in the act alluded to in the resolution referred to the committee, nor in any other prior or subsequent act, so far as your committee are aware. Your committee are therefore of opinion that any assessment which may have been made, or purported to be made, in the above unorganized counties, by any officer of the township of St. Mary's for 1846, must be totally void and illegal.

The following communication was announced by the Speaker :

SENATE CHAMBER.  
*Detroit, February 23, 1847.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit “a bill to incorporate the White Pigeon Academy,” and a “bill to amend section 50 of chapter 108 of the revised statutes of 1846,” which the Senate have passed and in which the concurrence of the House is respectfully asked.

Your ob't serv't,

JAS. E. PLATT,  
*Sec. Senate.*

The Senate bill to incorporate the White Pigeon Academy was read twice and referred to the committee on banks and incorporations.

The Senate bill to amend section fifty of chapter one hundred and eight of the revised statutes of 1846, was read twice and referred to the committee on the judiciary.

Mr. C. H. Taylor offered the following resolution :

*Resolved,* That our Senators and Representatives in Congress be requested, in presenting the joint resolutions in relation to the public lands lying in this state, this day reported by the committee on federal relations, to their respective Houses, to also present a copy of the report of that committee accompanying said resolutions.

On motion of Mr. Adam,

The resolution was referred to the committee of the whole.

Mr. Darrah offered the following resolution :

*Resolved,* That the auditor general be directed to communicate to this House, without delay, a full and accurate statement showing the amount of money audited and allowed for the public printing of this state, and the several departments thereof, performed during the recess of the legislature, in the year 1843; specifying by whom each

specific species of work was performed ; the nature of the work, and the rate of prices audited and allowed therefor.

On motion of Mr. H. Mower,

The resolution was amended by inserting 'and 1846,' after '1843.'

Mr. Adam moved a reconsideration of the vote by which the resolution was amended, which motion prevailed, and the question recurring on the motion to insert "and 1846," it was lost.

On motion of Mr. Adam,

The bill to provide for the payment of interest on the internal improvement debt of this state, and for other purposes, was taken from the general order and made the special order for to-morrow.

On motion of Mr. C. H. Taylor,

The order of the House adopted on the 17th instant, prohibiting the introduction of new business, was amended by striking out the word "nor," in the second line, and inserting "on."

On motion of Mr. Adam,

The order was further amended by inserting after "Senate," in the third line the words "or referred by petition."

Mr. Harrington, by unanimous consent, introduced a bill to repeal section fifty of chapter fourteen of the revised statutes of 1846, which was read twice and referred to the committee on the judiciary.

On motion of Mr. Throop,

*Resolved*, That his Excellency, the Governor, be respectfully requested to inform this House whether the pardon of Ebenezer M. Miller, dated February 17, 1847, was granted by him "on the ground that he was innocent of the crime for which he was convicted," or such evidence in his possession as he may deem important in relation to the guilt or innocence of the said Ebenezer M. Miller; the said Miller having a petition pending in this House for compensation for his labor while he was confined in the state prison.

Mr. H. Mower offered the following resolution ;

*Resolved*, That the Auditor General be requested to inform this House of the full amounts paid for printing non-resident taxes, and to whom during the past year : the price paid for printing the revised statutes of 1846, and to whom, as soon as practicable.

On motion of Mr. Throop,

The following was added to the resolution, "and whether such work was done under any existing contract."

The resolution as amended, was then adopted.

The bill to amend an act entitled an act to incorporate the Marshall and Union City plank road company, was read the third time and passed by a two thirds vote, as follows :

## YEAS.

Mr. Adam,  
Barker,  
Bell,  
Britain,  
Brown,  
Chubb,  
Clark,  
Contes,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,  
Goodrich,

Mr. Goodwin,  
Goodyear,  
Harris,  
Hebard,  
Hollister,  
Johnson,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,  
Miller,  
G. W. Moore,  
H. Mower,

Mr. O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker,

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## NAYS.

Mr. Edmunds,  
Glen,  
Haydon,

Mr. Jennings,  
Jones,  
Kinne,

Mr. D. Pierce,  
Renwick,

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The bill to amend an act entitled an act to incorporate the Battle Creek and Grand Rapids rail road company, approved May 4, 1846 was read the third time, when

On motion of Mr. Adam,

The rules were suspended, and

On motion of Mr. C. H. Taylor,

Section one of the bill was stricken out, and

The bill was passed by a constitutional vote, as follows :

## YEAS.

Mr. Adam,  
Barker,  
Bell,  
Britain,  
Brown,  
Chubb,

Mr. Goodell,  
Goodwin,  
Goodyear,  
Harris,  
Hebard,  
Hollister,

Mr. O'Malley,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,

Clark,  
Coates,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Eaton,  
Dyckman,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,

Jennings,  
Johnson,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw  
Miller,  
G. W. Moore,  
NAYS.

Seeley,  
Seymour,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker, 54

Mr. Glen,  
Haydon,

Mr. Jones,  
Kinne,

Mr. Shaw, 5

The bill to repeal the charter of the borough of Michilimackinac, was read the third time and passed by a constitutional vote as follows:

#### YEAS.

Mr. Adam,  
Barker,  
Bell,  
Britain,  
Brown,  
Chubb,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Faxon,  
Ferrington,  
Glen,

Mr. Goodell,  
Goodyear,  
Harris,  
Hebard,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,  
Miller,

Mr. G. W. Moore,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker, 54

#### NAYS.

Mr. Edmunds,  
Fralick,

Mr. Haydon,  
D. Pierce,

Mr. Renwick, 5

The bill authorizing Allen A. Rabineau to build a dam across the River Raisin, in the county of Monroe, was read the third time and passed.

The bill for the preservation and leasing of the Clinton and Kalamazoo Canal came up as unfinished business, when

Mr. Price moved to amend the first section by striking out therefrom the first proviso, pending which,

On motion of Mr. Goodwin,

The words "during said lease" were added to the end of the proviso.

The question then recurring on the motion to strike out, it was decided in the negative.

Mr. Haydon moved to strike out all after the enacting clause, which motion was lost.

Mr. Britain moved a reconsideration of the vote by which the House refused to strike out all after the enacting clause, which motion did not prevail, and the bill was ordered to be engrossed, and read the third time.

On motion of Mr. Driggs,

The House adjourned.

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*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Arzeno, Brooks and Goodrich were absent on leave, and Messrs. Darrah, Ferrington, Goodyear, Kinne, McFarlan, H. Mower, Pond and Seymour were absent without leave.

Mr. Price, from the committee on engrossment and enrollment, reported that the bill for the preservation and leasing of the Clinton and Kalamazoo Canal, was correctly engrossed.

The House then resolved itself into committee of the whole on the various propositions to amend the constitution of this state, Mr. Goodwin in the chair.

And after some time, the committee rose and by their chairman reported the various joint resolutions back with amendments, in which the concurrence of the House was asked.

The amendment, striking out all after the resolving clause, to the joint resolution, (House bill No. 67.) was concurred in, and

On motion of Mr. J. D. Pierce,

The resolving clause was laid on the table.

The joint resolution (House bill No. 66,) being under consideration, and the question being on concurring in the amendment made in committee of the whole,

Mr. H. W. Taylor moved to amend the amendment to the fourth subdivision, by striking out all after the word "follows," in the first line, and insert, "the state shall be divided in the year 1849, and at each new apportionment thereafter, into as many senatorial districts as there are senators by such apportionment, and into as many representative districts as there are representatives; and each district shall consist of contiguous territory, containing a population equal as near as may be to the senatorial and representative ratios of the state," which motion was lost by the following vote:

## YEAS.

Mr. Britain,  
Chubb,  
Clark,  
Coates,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,

Mr. Faxon,  
Haydon,  
Hebard,  
Jennings,  
Kelsey,  
Lomis,  
McFarlan,

Mr. McGraw,  
D. Pierce,  
Price,  
Renwick,  
Shook,  
H. W. Taylor,  
Van Duser,

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## NAYS.

Mr. Adam,  
Bell,  
Brown,  
Culver,  
Darrah,  
Davison,  
Deming,  
Fralick,  
Glen,  
Goodell,  
Goodrich,  
Goodwin,

Mr. Goodyear,  
Harris,  
Harrington,  
Hollister,  
Johnson,  
Kilborn,  
Kinne,  
Knight,  
Makley,  
Miller,  
G. W. Moore,

Mr. Noble,  
O'Malley,  
J. D. Pierce,  
Pond,  
Shaw,  
C. H. Taylor,  
Troop,  
Turner,  
Upton,  
Walker,  
Speaker.

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The amendments made in committee of the whole were then concurred in in gross.

Mr. H. W. Taylor moved to amend by adding thereto, as an additional subdivision "and there shall be only regular biennial sessions of the legislature," which amendment was adopted by the following vote:

## YEAS.

Mr. Brown,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,

Mr. Goodell,  
Goodrich,  
Haydon,  
Hebard,  
Hollister,  
Jennings,  
Kelsey,

Mr. Noble,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Price,  
Renwick,  
Seeley,

Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Fralick,

Kinne,  
Knight,  
Lomis,  
Mak'ey,  
McFarlan,  
McGraw,  
NAYS.

Shaw,  
Shook,  
H. W. Taylor,  
Turner,  
Van Duser,

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Mr. Adam,  
Bell,  
Brittain,  
Chubb,  
Glen,  
Goodwin,  
Goodyear,

Mr. Harris,  
Harrington,  
Johnson,  
Kilborn,  
Miller,  
G. W. Moore

Mr. Pond,  
C. H. Taylor,  
Throop,  
Upton,  
Walker,  
Speaker,

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Mr. Edmunds moved to amend the fourth subdivision by striking out all after the word "districts," in fourth line, and insert as follows:

'The representatives shall be apportioned among the several counties of this state by the legislature, as near as may be according to the number of their respective white inhabitants, and shall be chosen by single districts. The several boards of supervisors in such counties of this state as are entitled to more than one representative, shall assemble on the first Tuesday in August, 1849, and divide their respective counties into representative districts equal to the number of members of the House of Representatives to which such counties are severally entitled by law, and shall cause to be filed in the offices of the secretary of state and the clerks of the counties respectively, a description of such representative districts, specifying the number of each district and the population thereof, according to the last preceding State or United States enumeration; as near as can be ascertained, each district shall contain, as near as may be, an equal number of inhabitants, and shall consist of contiguous territory, and no township or ward of any city shall be divided in the formation of representative districts. The legislature at its first session after the return of every enumeration by the State or United States, shall re-apportion the representatives among the several counties of this State in manner aforesaid, and the boards of supervisors in such counties as may be entitled under such re-apportionment to more than one member, shall assemble at such time as the legislature making such apportionment shall prescribe, and divide such counties into representative

districts in the manner herein directed; and the apportionment and districts shall remain unaltered until another enumeration shall be taken under the authority of the State or United States. The counties entitled to one representative by the existing apportionment shall continue so to elect one. The boards of supervisors of Kent and Ottawa counties shall meet on the first Tuesday of August, 1849, at Grand Rapids in the county of Kent, and shall divide the counties of Kent and Ottawa into two representative districts, in the same manner as is hereinbefore provided for single counties entitled to more than one representative, and shall file the description thereof in the offices of the secretary of state and the clerks of the respective counties.

Sec. 6. The first election of representatives, pursuant to the provisions of this amendment of the constitution, shall be held on the Tuesday succeeding the first Monday of November, 1849, and in each alternate year thereafter. Provision may be made by law for filling vacancies occurring in the legislative body.

Which amendment was rejected by the following vote:

YEAS.,

Mr. Chubb,  
Clark,  
Contes,  
Davison,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,

Mr. Harris,  
Haydon,  
Hollister,  
Jennings,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
McFarlan,

Mr. McGraw,  
D. Pierce,  
Price,  
Reiwick,  
Shaw,  
Shook,  
H. W. Taylor,  
Truesdell,  
Van Duser, 27

NAYS.

Mr. Adam,  
Bell,  
Brown,  
Culver,  
Darrah,  
Deming,  
Fralick,  
Glen,  
Goodell,  
Goodrich,

Mr. Goodwin,  
Goodyear,  
Hebard,  
Harrington,  
Johnson,  
Miller,  
G. W. Moore,  
Noble,  
O'Malley,

Mr. J. D. Pierce,  
Pond,  
Seeley,  
C. H. Taylor,  
Throop,  
Turner,  
Upton,  
Walker,  
Speaker,

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On motion of Mr. Noble,

The last vote was reconsidered.

On motion of Mr. Turner,

The House adjourned.



*Friday, February 26, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Mr. Brooks was absent on leave, and Messrs. Ferrington, Noble, Seymour and Truesdell were absent without leave.

Mr. Walker asked and obtained leave of absence for Mr. Seymour for an indefinite period.

Mr. D. Pierce for Mr. Truesdell for an indefinite period.

Mr. G. W. Moore for Mr. Ferrington until Monday next.

**PETITIONS PRESENTED.**

By Mr. Turner. The remonstrance of Seymour Arnold, and fifty other tax payers of the township of Oxford, in Oakland county, against the organization of a new county from parts of Oakland, Macomb and Lapeer counties. Laid on the table.

By Mr. Arzeno. The petition of one hundred and five inhabitants of Wayne and Monroe counties, praying that dams on the Huron river shall be so constructed that fish may not be prevented from passing. Referred to the committee on the judiciary.

By Mr. Harrington. Of J. J. Falkenbury, for the passage of a law providing for the taking depositions in certain cases. Same reference.

By Mr. Goodrich. Two several petitions of citizens of the county of Genesee, for the passage of a bill incorporating the Kearsley Branch Railroad Company. Laid on the table.

Mr. Johnson, from the committee on banks and incorporations, reported back without amendment, and recommended its passage, the Senate bill to incorporate the White Pigeon Academy, and the bill was referred to the committee of the whole and placed on the general order.

The following message was received from the Senate :

SENATE CHAMBER, }  
*Detroit, February 26, 1847.* }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit a "bill to regulate proceedings in cases pending in chancery and the circuit courts, and

to continue the district court for one year," and to amend an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846," which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The Senate bill to regulate proceedings in cases pending in chancery, and the circuit courts, and to continue the district court for one year, and to amend an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846, was read twice and referred to the committee on the judiciary.

On motion of Mr. Davison,

The bill to repeal the charter of the village of Pontiac, was taken from the table.

The bill for the preservation and leasing of the Clinton and Kalamazoo Canal, was read the third time, when

Mr. J. D. Pierce moved the previous question, which was sustained by the House, and the main question was ordered to be now put.

The main question being on the passage of the bill, was then put and prevailed by the following vote :

#### YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Clark,  
Culver,  
Darrah,  
Davison,  
Deming,  
Diggs,  
Dyckman,  
Eaton,  
Edmunds,

Mr. Faxon,  
Glen,  
Goodell,  
Goodwin,  
Hebard,  
Harrington,  
Jennings,  
Kelsey,  
Kilborn,  
Kinne,  
Lomis,  
Makley,  
Marquette,  
McFarlan,

Mr. McGraw,  
Miller,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,  
Upton,  
Speaker, 42

#### NAYS.

Mr. Barker,  
Chubb,  
Cones,  
Fralick,  
Goodrich,  
Goodyear,

Mr. Harris,  
Haydon,  
Hollister,  
Johnson,  
Jones,  
Knight,

Mr. H. Mower,  
Noble,  
H. W. Taylor,  
Van Duser,  
Walker,

## UNFINISHED BUSINESS.

The House took up the bill to repeal the village charter of the village of Pontiac, when

Mr. Haydon moved to strike out all after the enacting clause, which motion was lost, and the bill was ordered to be engrossed and read the third time.

The joint resolutions to amend the constitution, (House bill No. 66,) were taken up, and the question being on the amendment yesterday offered by Mr. Edmunds, when

Mr. C. H. Taylor moved to amend the amendment, by inserting "apportioning to each organized county at least one representative," after the word "aforesaid," in the twentieth line, which amendment was rejected by the following vote :

YEAS.		
Mr. Bell,	Mr. Goodyear,	Mr. Marquette,
Britain,	Harris,	Miller,
Brown,	Hebard,	O'Malley,
Coates,	Johnson,	J. D. Pierce,
Culver,	Kelsey,	C. H. Taylor,
Driggs,	Kilborn,	Upton,
Glen,	Knight,	Speaker,
Goodrich,	Mikley,	23
NAYS.		
Mr. Adam,	Mr. Frattick,	Mr. H. Mower,
Arzeno	Goodell,	Noble,
Barker,	Goodwin,	D. Pierce,
Chubb,	Haydon,	Pond,
Clark,	Harrington,	Price,
Darrah,	Hollister,	Renwick,
Davison,	Jennings,	Seeley,
Deering,	Jones,	Shook,
Dyckman,	Kinne,	H. W. Taylor,
Eaton,	Lomis,	Throop,
Edmunds,	McFarlan,	Van Duser,
Faxon,	McGraw,	Walker, 36

Mr. Britain moved to amend the amendment by inserting after the word "aforesaid," in the twentieth line, the following proviso : "Provided, that the territory now embraced in the counties of Houghton, Marquette, Ontonagon and Schoolcraft, shall always be entitled to at least one representative."

Which motion was lost.

On motion of Mr. Noble,

The second subdivision of the amendment was amended by striking out of the fourth line thereof the words "in each alternate year," and inserting after the word "thereafter," in the same line, the words "as shall be provided by law."

The question then recurring on the original amendment as amended, it prevailed by the following vote :

## YEAS.

Mr. Arzeno,  
Barker,  
Britain,  
Chubb,  
Clark,  
Darr h,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,

Mr. Goodell,  
Haydon,  
Hebard,  
Hollister,  
Jennings,  
Kelsey,  
Kinne,  
Lonis,  
McFarlan,  
McGraw,  
H. Mower,

Mr. Noble  
D. Pierce,  
J. D. Pierce,  
Price,  
Renwick,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Van Duser,  
Walker,  
Speaker, 33

## NAYS.

Mr. Adam,  
Bell,  
Brown,  
Contes,  
Culver,  
Deming,  
Fralick,  
Glen,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Harrington,  
Johnson,  
Kilborn,  
Makley,

Mr. Marantette,  
Miller,  
O'Malley,  
Pond,  
Throop,  
Turner,  
Upton,

22

On motion of Mr. Chubb,  
The House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Brooks, Ferrington, Seymour and Truesdell were absent on leave, and Messrs. Bell, Britain, Culver, Fralick, Harris, Johnson, Jones. H. Mower, O'Malley, Seeley, C. H. Taylor, Turner, Van Duser and Walker were absent without leave.

On motion of Mr. Adam,

It was ordered, that hereafter the morning sessions of this House shall commence at half past nine o'clock, and the afternoon sessions at half past two o'clock.

The House then resumed the consideration of the joint resolutions to amend the constitution, (House bill No. 66,) and

Mr. Adam moved to amend the same by adding thereto the following :

"Amend section eighteen of article four, so that it shall read as follows : 'The members of the legislature shall receive for their services three dollars a day for each day's attendance at any one session not exceeding forty days, and one dollar a day thereafter for a period not exceeding twenty days ; and they shall also be allowed mileage at the rate of ten cents a mile going and returning to and from the seat of government.' "

Mr. J. D. Pierce moved to amend the amendment, by striking out "forty" before "days," and inserting "sixty," which motion was lost.

Mr. Goodwin moved to amend the amendment by striking out "and one dollar a day thereafter for a period not exceeding forty days," which motion did not prevail.

Mr. Chubb moved to strike out "three" before "dollars," and insert "two," which motion prevailed by the following vote :

## YEAS.

Mr. Barker,  
Bell,  
Chubb,  
Clark,  
Coates,  
Driggs,  
Edmunds,  
Faxon,  
Fralick,  
Haydon,

Mr. Hollister,  
Jennings,  
Kelsey,  
Kilborn,  
Lomis,  
Marantette,  
McGraw,  
Miller,  
Noble,  
D. Pierce,

Mr. Price,  
Renwick,  
Shaw,  
Shook,  
H. W. Taylor,  
Throop,  
Turner,  
Upton,  
Van Duser,

29

## NAYS.

Mr. Adam,  
Arzeno,  
Britain,  
Brown,  
Darrah,  
Davison,  
Deming,  
Dyckman,

Mr. Eaton,  
Glen,  
Goodrich,  
Goodwin,  
Goodyear,  
Hebard,  
Harrington,  
Kinne,

Mr. Knight,  
Makley,  
McFarlan,  
G. W. Moore,  
J. D. Pierce,  
Pond,  
C. H. Taylor,  
Speaker,

24

Mr. Goodwin moved to amend the amendment by striking out "forty" before "days," and inserting "thirty ;" and a division being

called for, the question was first taken on striking out, and prevailed.

The question then recurring on inserting "thirty," it prevailed by the following vote :

## YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Coates,  
Darrab,  
Deming,  
Eaton,  
Fralick,  
Glen,  
Goodrich,  
Goodwin,

Mr. Goodyear,  
Hebard,  
Harrington,  
Kilborn,  
Kinne,  
Knight,  
Marantette,  
McFarlan,  
Miller,  
G. W. Moore,  
H. Mower,

Mr. Noble,  
J. D. Pierce,  
Pond,  
Price,  
Shaw,  
Shook,  
Throop,  
Turner,  
Upton,  
Van Duser,

32

## NAYS.

Mr. Barker,  
Britain,  
Brown,  
Chubb,  
Clark,  
Davison,  
Driggs,  
Dyckman,

Mr. Edmunds,  
Faxon,  
Goodell,  
Haydon,  
Hollister,  
Jennings,  
Johnson,  
Kelsey,

Mr. Lomis,  
Makley,  
McGraw,  
D. Pierce,  
Renwick,  
C. H. Taylor,  
H. W. Taylor,  
Speaker, 24

On motion of Mr. Adam,

The subject was laid on the table, and

The Speaker announced the following message from the Executive :

EXECUTIVE OFFICE,  
*Detroit, February 26, 1847.* }

*To the Senate and House of Representatives :*

The Senate and House of Representatives are hereby respectfully informed that I am prepared to submit a nomination for superintendent of public instruction, whenever it shall suit their convenience in joint convention to receive the same.

ALPHEUS FELCH.

On motion of Mr. Adam,

The following concurrent resolution was adopted :

*Resolved*, (if the Senate concur,) That the two Houses will meet in joint convention at half past four o'clock P. M., for the purpose of acting upon such nominations as may be submitted by the Executive.

The House then resumed the consideration of the joint resolutions to amend the constitution, (House bill No. 66,)

And the question being on the amendment offered by Mr. Adam, as amended, it prevailed by the following vote :

## YEAS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Coates,  
Darrah,  
Deming,  
Eaton,  
Edmunds,  
Faxon,  
Fralick,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Hebard,  
Harrington,  
Jennings,  
Kilborn,  
Knight,  
Marantette,  
McFarlan,  
McGraw,

Mr. Miller,  
G. W. Moore,  
H. Mower,  
Noble,  
D. Pierce,  
Price,  
Shaw,  
Shook,  
Throop,  
Van Duser,

32

## NAYS.

Mr. Britain,  
Brown,  
Chubb,  
Clark,  
Davison,  
Driggs,  
Dyckman,  
Glen,

Mr. Goodell,  
Haydon,  
Hollister,  
Johnson,  
Kelsey,  
Kinne,  
Lomis,  
Makley,

Mr. J. D. Pierce,  
Pond,  
Renwick,  
C. H. Taylor,  
H. W. Taylor,  
Turner,  
Upton,  
Speaker,

24

Mr. H. Mower moved to amend, by adding the following to stand as an additional subdivision :

“Strike out section 2, in article 6, and instead thereof, insert the following :— “The judges of the supreme court shall be four in number, and shall be elected by the electors at such times and places as hereafter shall be prescribed by law. The state shall be divided into four judicial districts, to be bounded by county lines, and to be compact and equal in population, as near as may be. The judges shall be so classified that one of them shall go out of office at the end of every two years. After the expiration of the terms under such classification, the term of their office shall be eight years. They shall receive an adequate compensation, which shall not be diminished during their continuance in office.”

Mr. Adam offered the following as a substitute for the proposed amendment :

“Amend section two, article six, so that it shall read as follows :— The judges of the supreme court shall hold their offices for the term

of six years, and shall be elected by the qualified electors at the time of the annual township meetings, next preceding the time when any vacancy or vacancies may be about to occur in the office of judge or judges of said court. They shall receive an adequate compensation, which shall not be diminished during their continuance in office. But they shall receive no fees nor perquisites of office, nor hold any other office of profit or trust under the authority of this state or of the United States," which substitute was adopted.

Mr. J. D. Pierce moved to indefinitely postpone the further consideration of the whole subject, which motion was lost by the following vote :

## YEAS.

Mr. Arzeno,	Mr. Glen,	Mr. G. W. Moore,
Bell,	Goodrich,	Noble,
Brown,	Goodyear,	J. D. Pierce,
Coates,	Hebard,	Pond,
Culver,	Harrington,	Shaw,
Darrab,	Johnson,	C. H. Taylor,
Davison,	Knight,	Throop,
Dyckman,	Makley,	Turner,
Fralick,	Miller,	Upton,

27

## NAYS.

Mr. Adam,	Mr. Goodell,	Mr. McFarlan,
Barker,	Goodwin,	McGraw,
Britain,	Haydon,	H. Mower,
Chubb,	Hollister,	D. Pierce,
Clark,	Jennings,	Price,
Deming,	Kelsey,	Renwick,
Driggs,	Kilborn,	Shook,
Eaton,	Kinne,	H. W. Taylor,
Edmunds,	Lomis,	Van Duser,
Faxon,	Marantette,	Speaker,

30

On motion of Mr. Adam,

The joint resolutions and amendments were referred to a select committee of seven, with instructions to revise and report them back to the House complete.

The Speaker appointed as such committee Messrs. Adam, Noble, Britain, H. W. Taylor, Johnson, Edmunds and C. H. Taylor.

On motion of Mr. Noble,

Joint resolution proposing amendments to the constitution, was referred to the same committee.

On motion of Mr. Noble,



The joint resolution to amend the constitution (House bill No. 39) was taken from the table and referred to the select committee on constitutional amendments.

On motion of Mr. Adam,

The House resolved itself into committee of the whole, Mr. Adam in the chair.

And after a short time, the committee rose, and through their chairman reported that they had had under consideration, a bill for the relief of William Cummins, and a bill for the relief of Thomas Lynch, on which they had made some progress, and asked and obtained leave to sit again.

Mr. Price, from the committee on engrossment and enrollment reported that the bill to repeal the village charter of the village of Pontiac, was correctly engrossed.

The following communication was announced:

SENATE CHAMBER,  
*Detroit, February 26, 1847.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the concurrent resolution in regard to a joint convention, and to respectfully inform you that the Senate have concurred therein.

Your obedient servant,

JAMES E. PLATT,  
*Sec'y. of Senate.*

On motion of Mr. Adam,

A committee of two was ordered to be appointed to inform the Senate that the House was now ready to meet them in joint convention, and wait on that body to the House.

The Speaker appointed as such committee Messrs. Adam and Noble; who after a short absence returned, and the Honorable the Senate of the state of Michigan were announced, and conducted to seats.

PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the President of the Senate, who stated that the two Houses had convened for the purpose of acting on such nominations as the executive might be pleased to make.

The rolls of the two Houses were called, and the Senators were all

present, and the representatives were present, with the exception of Messrs. Brooks, Ferrinton, Harris, Jones, O'Malley, Seeley, Seymour, Truesdell and Walker.

On motion of Mr. Goodwin,

A committee of two was ordered to be appointed to inform the Governor that the two Houses were assembled in joint convention, and were ready to receive any communication he might be pleased to make.

The President appointed as such committee Mr. Goodwin and Senator Bush, who after a short absence, returned and reported that they had discharged the duty assigned to them, and had received for answer that the Governor would communicate with the convention in writing forthwith.

The following message was received from the Executive:

EXECUTIVE OFFICE,  
*Detroit, February 26, 1847.* }

*To the Senate and*

*House of Representatives in Joint Convention :*

I hereby nominate Ira Mayhew to be Superintendent of Public Instruction, for the constitutional term to commence on the nineteenth day of April next when his present official term will expire.

ALPHEUS FELCH.

Which nomination was advised and consented to by the following vote:

SENATORS.

YEAS.

Mr. Allen, Balch, Bush, Coe, Cook, Danforth, Denton,	Mr. Eldredge, Fenton, Fitzgerald, Green, Kiblee, Lathrop, Maynard,	Mr. McReynolds, Parsons, Robinson, Rix, Schwarz, Thurber, Toll,	21
	NAYS.		0

REPRESENTATIVES.

YEAS.

Adam, Arzeno, Barker, Bell,	Mr. Glen, Goodell, Goodrich, Goodwin,	Mr. McGraw, Miller, G. W. Moore, H. Mower,
--------------------------------------	--	---

Britain,  
Brown,  
Chubb,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Fralick,

Goodyear,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Kelsey,  
Kilborn,  
Kinne,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,

Noble,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Upton,  
Van Duser,  
Speaker,

56

NAYS.

Mr. Turner,

1

On motion of Senator Thurber,

The joint convention adjourned *sine die*.

JAS. E. PLATT,

*Sec'y. of Senate.*

A. W. HOVEY,

*Clerk of House of Reps.*

The House was called to order by the Speaker, and went into committee of the whole on the special order, being the bill to provide for the payment of interest on the internal improvement debt of the state and for other purposes, Mr. Noble in the chair, and after a short time the committee rose and by their chairman reported the bill back to the House without amendment, and it was ordered to be engrossed for a third reading.

The House then resolved itself into committee of the whole on the general order, Mr. C. H. Taylor in the chair.

After some time the committee rose and by their chairman reported back to the House without amendment,

A bill to amend the charter of the Michigan Central Railroad Company.

Also, reported back with an amendment in which the concurrence of the House was asked, a bill to authorize the supervisors of the county of Ionia to expend an appropriation for building a bridge at Lyons, in such manner as they may deem best for the interest of said county.

Also reported that they had had under consideration a bill for the protection of wives and families against the effects of injudicious endorsing or signing as security, on which they had made some progress, and asked leave to sit again, which leave was not granted

Mr. Throop moved that the bill, be taken from the general order and its further consideration be indefinitely postponed which motion was lost by yeas and nays, as follows :

## YEAS.

Mr. Barker,	Mr. Harrington,	Mr. C. H. Taylor, -	
Bell,	Jennings,	H. W. Taylor,	
Coates,	H. Mower,	Throop,	
Fralick,	Noble,	Turner,	
Goodwin,	Renwick.		14

## NAYS.

Mr. Adam,	Mr. Edmunds,	Mr. McFarlan,	
Arzeno,	Glen,	McGraw,	
Britain,	Goodell,	G. W. Moore,	
Clark,	Goodrich,	D. Pierce,	
Culver,	Goodyear,	Pond,	
Darrah,	Hollister,	Price,	
Davison,	Johnson,	Shaw,	
Deming,	Kilborn,	Shook,	
Dyckman,	Lomis,	Upton,	
Eaton,	Makley,	Speaker,	30

On motion of Mr. Turner,

The bill was laid on the table.

Mr. Noble moved that the House adjourn until seven o'clock this evening, which motion was lost ; and

On motion of Mr. C. H. Taylor,

The House adjourned.

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*Saturday, Februray 27, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Brooks, Ferrington and Truesdell were absent on leave, and Messrs. Johnson, McFarlane, O'Malley, Seeley, Upton, Van Duser and Walker were absent without leave.

Mr. Lomis asked and obtained leave of absence for Mr. Seeley for an indefinite period.

The journal of yesterday was read and approved.

## PETITIONS PRESENTED.

By Mr. Makley. Of Ebenezer M. Phelps, and others, for relief. Laid on the table.

By Mr. Coates. Of citizens of Michigan, for an appropriation on the road leading from Allegan to the New Holland Colony. Laid on the table.

Mr. Noble, from the committee on the judiciary, reported back without amendment, and recommended its passage, the Senate bill to regulate proceedings in cases pending in chancery and the circuit courts, and to continue the district courts for one year, and to amend an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846, which bill was referred to the committee of the whole and placed on the general order.

Mr. Noble, from the same committee, reported back with an amendment, and recommended its passage, the bill to repeal section fifty of chapter fourteen of the revised statutes of 1846, which report was accepted, the committee discharged from the further consideration of the subject, and the bill referred to the committee of the whole and placed on the general order.

Mr. Noble from the same committee, reported back the Senate bill to amend section fifty of chapter one hundred and eight of the revised statutes of 1846, and reported adverse to the passage thereof, which report was accepted, the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Noble, from the same committee, reported back without action the petition of inhabitants of Wayne and Monroe counties, relative to the construction of dams on the Huron river, and the petition of J. J. Falkenbury for the passage of a law for taking depositions in certain cases, and the committee were discharged from the further consideration of the subject.

The following message was received from the Senate :

SENATE CHAMBER. }  
Detroit, February 26, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the bill to repeal part of an act entitled an act authorizing the construction of a wagon

road on the line of the Northern Railroad, approved March 9, 1843 ;

A bill to authorize Drusus Hodges to erect a dam across the Paw Paw river, in the county of Van Buren ;

A bill to authorize Cyprian S. Hooker to erect a dam across the east branch of Flat river, in the county of Kent ;

A bill relative to copies of the United States laws ;

A bill to enable the township of Schoolcraft to accept the bequest of Franklin Howard, and a joint resolution relative to the distribution of session laws, journals, and documents of the legislature of 1847 ; and to respectfully inform you that the Senate have concurred therein.

Also, to return the joint resolution for the relief of Harvey Sherman, which the Senate have adopted with amendments, in which they respectfully asked the concurrence of the House.

Also, to transmit the following entitled bills, which the Senate have passed and in which the concurrence of the House is respectfully asked:

A bill to amend an act entitled an act to authorize William H. Cross and Seth C. Hanchett to erect a dam across the St. Joseph river in the county of St. Joseph, approved February 17, 1846 ;

A bill for the relief of Priscilla Eddy widow of Samuel Eddy deceased ;

A bill to authorize Nathaniel A. Balch as administrator, to sell certain lands, of which the late Walter Clark died possessed ;

A bill relative to elections ;

A bill to incorporate the Leoni theological institute ; and

A bill to amend an act entitled an act relative to free schools in the city of Detroit, approved February 17, 1842.

Your obedient servant.

JAS. E. PLATT,

*Secretary of Senate.*

The following bills and joint resolutions were ordered to be enrolled:

A bill to repeal part of an act entitled an act authorizing the construction of a wagon road on the line of the Northern Railroad, approved March 9, 1843 ;

A bill to authorize Drusus Hodges to erect a dam across the Paw Paw river, in the county of Van Buren ;

A bill to authorize Cyprian S. Hooker to erect a dam across the east branch of Flat river, in the county of Kent ;

A bill relative to copies of the United States Laws ;

A bill to enable the township of Schoolcraft to accept the bequest of Franklin Howard ; and

A joint resolution relative to the distribution of session laws, journals and documents of the legislature of 1847.

The Senate amendments to the joint resolution for the relief of Harvey Sherman, were concurred in by the House, and the joint resolution as amended was ordered to be enrolled.

The Senate bill to amend an act entitled an act to authorize William H. Cross and Seth C. Hanchett to erect a dam across the St. Joseph river, in the county of St. Joseph, approved Feb. 17, 1846, and

The Senate bill relative to elections, were severally read twice and referred to the committee on state affairs.

The Senate bill for the relief of Priscilla Eddy, widow of Samuel Eddy, deceased, and the Senate bill to authorize Nathaniel A. Balch, as administrator, to sell certain lands of which the late Walter Clark died possessed, were severally read twice and referred to the committee on the judiciary.

The Senate bill to amend an act entitled an act relative to free schools in the city of Detroit, approved February 17, 1842, and

The Senate bill to incorporate the Leoni Theological Institute, were severally read twice and referred to the committee on banks and incorporations.

Mr. Price, from the committee on engrossment and enrollment, reported that the bill to provide for the payment of interest on the internal improvement debt of this state, and for other purposes, was correctly engrossed.

On motion of Mr. Price,

*Resolved*, That the engrossing and enrolling clerk be and he is hereby authorized to appoint an assistant.

Mr. Deming offered the following resolution :

*Resolved*, That from and after the first day of March next, no member, without the unanimous consent of the House, shall speak more than once on any subject before the House or in committee of the whole, nor for a longer time than ten minutes.

Mr. Harris moved to amend the resolution by striking out the word

'ten' before 'minutes,' and inserting 'twenty,' which motion was lost.

On motion of Mr. Goodwin,

"Ten" was stricken out and "three" inserted.

Mr. Kelsey moved to lay the resolution on the table, which motion was lost.

On motion of Mr. Edmunds,

The words "first day of March next" were stricken out, and "passage of this resolution," inserted.

On motion of Mr. Chubb,

The further consideration of the resolution was indefinitely postponed.

On motion of Mr. Throop,

The bill to authorize the Board of Auditors of Wayne county to build a jail, was taken from the table.

The bill to provide for the payment of interest on the internal improvement debt of this State, and for other purposes, was read the third time and passed by the following vote :

#### YEAS.

Mr. Adam,

Arzeno,

Barker,

Bell,

Britain,

Brown,

Chubb,

Clark,

Culver,

Darrah,

Davison,

Deming,

Driggs,

Dyckman,

Eaton,

Edmunds,

Faxon,

Fralick,

Mr. G'en,

Goodell,

Goodrich,

Harrington,

Hollister,

Jennings,

Johnson,

Jones,

Kelsey,

Kilborn,

Kinne,

Knight,

Lomis,

Makley,

Marantette,

McFarlan,

McGraw,

Mr. Miller,

G. W. Moore,

Noble,

O'Malley,

J. D. Pierce,

Pond,

Price,

Renwick,

Shaw,

Shook,

C. H. Taylor,

H. W. Taylor,

Throop,

Turner,

Upton,

Van Duzer,

Speaker,

52

#### NAYS.

Mr. Coates,

Goodwin,

Goodyear,

Mr. Harris,

Haydon,

Mr. H. Mower,

D. Pierce,

7

The bill to repeal the village charter of the village of Pontiac, was read the third time, and

On motion of Mr. Davison, laid on the table.



## UNFINISHED BUSINESS.

The House took up the bill to authorize the supervisors of the county of Ionia to expend an appropriation for building a bridge at Lyons, in such manner as they may deem best for the interest of said county, and the amendment made in committee of the whole was concurred in, and the bill ordered to be engrossed for a third reading.

The bill to amend the charter of the Michigan Central Railroad Company, was ordered to be engrossed for a third reading.

The bill to authorize the board of auditors of Wayne county to build a jail, being under consideration,

Mr. Throop moved to strike out all after the enacting clause and insert the following:

“ That the board of auditors of the county of Wayne, or their successors in office, be and they are hereby authorized and empowered to erect a new jail in and for the use of said county.

“ Sec. 2. For the purpose of carrying into effect the provisions of this act, the said board of auditors, or their successors in office, are hereby authorized to levy upon the taxable property of said county, from time to time, such sum or sums as they may deem necessary, not exceeding five thousand dollars in any one year, and not exceeding twelve thousand dollars in all, for the purpose of building said jail, and to appropriate and expend the same in the completion thereof, any law to the contrary notwithstanding.

“ Sec. 3. This act shall take effect and be in force from and after its passage.”

Pending which,

On motion of Mr. Eaton,

The bill and amendment were laid on the table.

The House resolved itself into committee of the whole on the general order, Mr. Johnson in the chair.

After some time spent thereon, the committee rose and by their chairman reported back to the House with an amendment, in which the concurrence of the House was asked, the Senate bill to amend section thirty-six of chapter thirty-six of the revised statutes of Michigan, and also reported back without amendment, the Senate bill to regulate proceedings in cases pending in chancery and the circuit courts, and to continue the district courts for one year, and to amend

an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846, which bill being under consideration,

Mr. Goodwin moved to amend the same by striking out the eighth section, which provides for the continuance of the district courts in the counties of Wayne, Washtenaw, Jackson and Oakland, for one year.

Mr. Goodrich asked to be excused from voting on the question, and the House refused to excuse him, and

The section was stricken out by the following vote :

#### YEAS.

Mr. Britain, Chubb, Clark, Edmunds. Faxon, Goodell, Goodrich, Goodwin, Harris, Haydon,	Mr. Hebard, Hollister, Jennings, Johnson, Jones, Kelsey, Kilborn, Lomis, Makley, Marantette,	Mr. McFarlan, McGraw, H. Mower, D. Pierce, J. D. Pierce, Pond, Price, Renwick, Shaw, Shook,
		30

#### NAYS.

Mr. Adam, Arzeno, Barker, Bell, Brown, Coates, Culver, Darrah, Deming, Driggs,	Mr. Dyckman, Fralick, Glen, Goodyear, Harrington, Kinne, Knight, Miller, G. W. Moore,	Mr. Noble, O'Malley, C. H. Taylor, H. W. Taylor, Throop, Turner, Upton, Van Duser, Speaker,
		28

Mr. Johnson moved a reconsideration of the last vote, which motion prevailed by yeas and nays, as follows :

#### YEAS.

Mr. Adam, Arzeno, Barker, Bell, Brown, Coates, Culver, Darrah, Davison, Deming, Driggs,	Mr. Dyckman, Eaton, Fralick, Glen, Goodyear, Hebard, Harrington, Kinne, Knight, Miller,	Mr. G. W. Moore, Noble, O'Malley, C. H. Taylor, H. W. Taylor, Throop, Turner, Upton, Van Duser, Speaker,
		31

## NAYS.

Mr. Britain,  
Chubb,  
Clark,  
Edmunds,  
Faxon,  
Goodell,  
Goodrich,  
Goodwin,  
Harris,  
Haydon,

Mr. Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
Marantette,  
McFarlan,

Mr. McGraw,  
H. Mower,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Shaw,  
Shook,

29

The question then recurring on the motion to strike out the eighth section, it was decided in the affirmative by the following vote:

## YEAS.

Mr. Britain,  
Chubb,  
Clark,  
Davison,  
Eaton,  
Edmunds,  
Faxon,  
Goodell,  
Goodrich,  
Goodwin,  
Harris,

Mr. Haydon,  
Hebard,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
Marantette,

Mr. McFarlan,  
McGraw,  
H. Mower,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Shaw,  
Shook,

32

## NAYS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Brown,  
Contes,  
Culver,  
Darrah,  
Deming,  
Driggs,

Mr. Dyckman,  
Fralick,  
Glen,  
Godyear,  
Harrington,  
Kinne,  
Knight,  
Miller,  
G. W. Moore,

Mr. Noble,  
O'Malley,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Speaker,

28

Mr. Noble moved to strike out sections two, three, six and seven, and insert the following:

"Sec. 2. The office of chancellor of this state is hereby continued for one year, and the chancellor is hereby vested with the powers, and authorized to exercise the same jurisdiction as heretofore, during said time.

"Sec. 3. The provisions contained in sections one, two and three, of chapter ninety of the act to which this is amendatory, are hereby suspended, and shall not take effect or be in force until one year after

the passage of this act, on which last mentioned time the same shall take effect and be in force." Pending which,

Mr. Chubb moved an adjournment, which was lost, and

Mr. Eaton moved to recommit the bill to the committee on the judiciary, with instructions to so amend as to confer the powers and duties of said district courts, upon the county courts of such counties as said committee shall think necessary.

On motion of Mr. Hebard,

The House adjourned.

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*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Brooks, Ferrington, Seeley and Truesdell were absent on leave, and Messrs. Darrah, Driggs, Fralick, Haydon, Kinne, Marantette, Seymour, C. H. Taylor, H. W. Taylor, Throop, Upton and Walker, were absent without leave.

Mr. Johnson, from the committee on banks and incorporations, by unanimous consent, reported back without amendment, and asked to be discharged from its further consideration, the bill to incorporate the village of Hillsdale, and the committee were discharged, and the bill was referred to the committee of the whole and placed on the general order.

The House then resumed the consideration of the Senate bill to regulate proceedings in cases pending in chancery and the circuit courts, and to continue the district courts for one year, and to amend an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846, and the question being on the motion to recommit with instructions, it was decided in the negative.

The question recurring on the motion to strike out sections two, three, six and seven, the motion was withdrawn.

The bill was then ordered to a third reading, and

On motion of Mr. Adam,

The twenty-first rule was suspended, and the bill was read the third time and passed by the following vote:

YEAS.

Mr. Adam,  
Arzeno,

Mr. Goodwin,  
Goodyear,

Mr. McGraw,  
Miller,

Barker,  
Bell,  
Britain,  
Brown,  
Clark,  
Coates,  
Culver,  
Davison,  
Deming,  
Dyckman,  
Faxon,  
Glen,  
Goodell,  
Goodrich,

Harris,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,

G. W. Moore,  
Noble,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Shaw,  
Shook,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Speaker,

46

## NAYS.

Mr. Chubb,  
Eaton,

Mr. Edmunds,  
McFarlan,

Mr. D. Pierce,  
Renwick,

6

The question being on the title, the same was amended,

On motion of Mr. J. D. Pierce,

By striking out therefrom the words "and to continue the district courts for one year," and the title as amended was agreed to.

The House then took up Senate bill to amend section thirty-six, chapter thirty-six of the revised statutes of Michigan, and the question being on concurring in the amendment made in committee of the whole, striking out all after the enacting clause, it was concurred in by yeas and nays, as follows:

## YEAS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Britain,  
Brown,  
Clark,  
Coates,  
Culver,  
Davison,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Glen,

Mr. Goodell,  
Goodrich,  
Goodyear,  
Harris,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,

Mr. McFarlan,  
McGraw  
Miller,  
G. W. Moore,  
Noble,  
D. Pierce,  
Pond,  
Price,  
Renwick,  
Shaw,  
Shook,  
Throop,  
Upton,  
Van Duser,

43

## NAYS.

Mr. Chubb,  
Deming,  
Goodwin,  
Haydon,

Mr. Makley,  
H. Mower,  
O'Malley,

Mr. J. D. Pierce,  
Turner,  
Speaker,

10

And the further consideration of the enacting clause was indefinitely postponed.

The Speaker announced the following communication :

EXECUTIVE OFFICE.  
Detroit, February 27, 1847. }

*To the House of Representatives:*

I have the honor to acknowledge the receipt of a copy of a resolution adopted by the House of Representatives requesting me to inform the House whether the pardon of Ebenezer M. Miller, dated Feb. 17, 1847, was granted "on the ground that he was innocent of the crime for which he was convicted," or to communicate such evidence in my possession as I might deem important in relation to the guilt or innocence of said Miller.

The application for the pardon of this convict was made on the ground that the death-bed declarations of the principal witness upon whose testimony the conviction was had, showed subsequently to the trial that he was not guilty of the crime charged in the indictment.

In determining upon an application on the grounds above mentioned, I did not deem it necessary for me to decide the question whether in fact the convict was innocent or guilty of the crime charged against him. Indeed the testimony usually presented to the Executive in such cases, consisting of petitions, informal representations and *ex parte* affidavits, is not the most satisfactory in its character for a proper determination of such a question. It is, however, sufficient to afford a guide to the discretion of the Executive in the exercise of the pardoning power. If, by an exhibition of facts which have transpired subsequently to the trial, a *reasonable doubt* of the guilt of the convict is made to appear, a proper case is, in my opinion, presented to authorize the exercise of the executive clemency. In such case, as upon a trial, the convict is entitled to the benefit of a *rational probability* of innocence.

Such I considered the case made upon the application for the pardon in question ; beyond that I did not deem it necessary for me to decide, and upon that ground, in connection with the highly respectable recommendations filed in the case, the pardon was granted.

For a proper understanding of the merits of the application by the House of Representatives, I herewith transmit the papers filed in this

office on behalf of the convict. Petitions for his pardon, signed by many citizens of this State, were also, some time since, presented to me ; but, without being filed in this office, were taken away to be exhibited to the Presiding Judge of the court in which the conviction was had, and have not been returned.

ALPHEUS FELCH.

On motion of Mr. Johnson,

The bill for the relief of Ebenezer M. Miller was taken from the general order, and the bill and foregoing communication, together with the accompanying documents, were referred to the committee on claims.

On motion of Mr. Adam,

The committee of the whole were discharged from the consideration of the bill for the relief of Joseph Miller, the bill for the relief of William Cummins, and the bill for the relief of Thomas Lynch, and they were referred to the committee on public lands, with instructions to report a general bill covering similar cases.

Mr. Edmunds, by unanimous consent, presented the memorial of Joseph Miller, for relief, and it was referred to the committee on public lands.

The House then resolved itself into committee of the whole on the general order, Mr. C. H. Taylor in the chair.

After some time spent thereon, the committee rose and by their chairman reported back to the House without amendment,

A bill to authorize Prosper Bunyea to keep up a dam across the Huron river in the county of Oakland ;

A bill to authorize Alfred A. Hunter and John Y. Larzalere to construct and maintain a dam across the Huron river ; and

A joint resolution relative to a certain sum of money stolen from the treasurer's office in Shiawassee county.

The committee also reported back, with sundry amendments, in which the concurrence of the House was asked,

A bill to amend the charter of the city of Detroit ;

A bill to incorporate the Pioneer Smelting Company of the Upper Peninsula of Michigan ;

A bill to amend section five of chapter twenty-three of the revised statutes of 1846, entitled of persons liable to work on highways, and making assessments therefor ;

A bill to amend an act entitled an act to incorporate the Cottonwood Swamp Turnpike Company, approved March 9, 1844;

A joint resolution relative to publishing the report of the Superintendent of Public Instruction, and

A joint resolution requiring the commissioner of the land office to withhold certain lands from sale.

The amendments to the bill to amend the charter of the city of Detroit; to the bill to incorporate the Pioneer Smelting Company of the Upper Peninsula of Michigan; to the bill to amend an act entitled an act to incorporate the Cottonwood Swamp turnpike company, approved March 9, 1844, and to the joint resolution requiring the commissioner of the land office to withhold certain lands from sale, were severally concurred in, and the bills and joint resolution were ordered to be engrossed for a third reading.

The amendment to the joint resolution relative to publishing the report of the superintendent of public instruction, was concurred in, the amendment was ordered to be engrossed, and the joint resolution ordered to be read the third time.

The amendment, striking out all after the enacting clause, to the bill to amend section five of chapter twenty-three of the revised statutes of 1846, entitled of persons liable to work on highways, and making assessments therefor, was concurred in, and the further consideration of the enacting clause was indefinitely postponed.

The joint resolution relative to a certain sum of money stolen from the treasurer's office in Shiawassee county being under consideration, it was amended,

On motion of Mr. Noble,

By striking out of the fifth line, the words "or the prosecution thereof."

Mr. Goodwin moved to amend the joint resolution by striking out all after the words "referred to," in the fourth line, and inserting the following: "Provided, the said treasurer renew the said bond, with the same security, and deliver such renewed bond to the auditor general," which motion was lost by the following vote:

YEAS.

Mr. Driggs,  
Glen,  
Goodell,

Mr. Harrington,  
Hollister,  
Johnson,

Mr. J. D. Pierce,  
Price,  
Shaw,



Goodwin, Haydon,	Jones, D. Pierce, NAYS.	Shook, Throop,	15
Mr. Adam, Arzeno, Barker, Bell, Britain, Chubb, Clark, Cotes, Culver, Davison, Deming, Dyckman,	Mr. Eaton, Faxon, Goodrich, Goodyear, Hebard, Jennings, Kelsey, Kilborn, Knight, Makley, McFarlan,	Mr. McGraw, Miller, G. W. Moore, Noble, Pond, Renwick, C. H. Taylor, Turner, Upton, Van Duser, Speaker,	34

On motion of Mr. Britain,

The last vote was reconsidered, and the question recurring on the motion to amend, it prevailed by yeas and nays as follows :

## YEAS.

Mr. Britain, Brown, Clark, Coates, Culver, Driggs, Eaton, Glen, Goodell, Goodrich,	Mr. Goodwin, Harrington, Hollister, Johnson, Jones, Kinne, Lomis, Makley, McFarlan, McGraw, NAYS.	Mr. G. W. Moore, D. Pierce, J. D. Pierce, Pond, Price, Shaw, Shook, Throop, Turner,	29
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Mr. Adam, Arzeno, Barker, Bell, Chubb, Davison, Dyckman,	Mr. Faxon, Goodyear, Hebard, Jennings, Kelsey, Kilborn, Knight,	Mr. Miller, Noble, Renwick, C. H. Taylor, Upton, Van Duser, Speaker,	21
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On motion of Mr. Upton,

The joint resolution and amendments were laid on the table.

The bill to authorize Alfred A. Hunter and John Y. Larzalere to construct and maintain a dam across the Huron river, and the bill to authorize Prosper Bunyea to keep up a dam across the Huron river, in the county of Oakland, were severally ordered to be engrossed and read the third time.

The following communication was received from the Auditor General :

AUDITOR GENERAL'S OFFICE, }  
 Detroit, Feb'y 27, 1847. }

Hon. G. W. PECK, *Speaker of the House of Representatives* :

SIR :—I have had the honor to receive the following resolution, which was adopted by the House on the 25th instant :

*Resolved*, That the auditor general be directed to communicate to this House, without delay, a full and accurate statement showing the amount of money audited and allowed for the public printing of this state, and the several departments thereof, performed during the recess of the legislature, in the year 1843; specifying by whom each specific species of work was performed; the nature of the work, and the rate of prices audited and allowed therefor.

The annexed statement which is herewith respectfully submitted, embodies all the information which the books and files of this office afford on the subject of inquiry.

I am sir, very respectfully,

Your ob't serv't,

D. V. BELL,  
*Auditor General.*

On motion of Mr. Goodwin,

The communication and accompanying documents were referred to the committee on claims.

The following communication was received from the Auditor General :

AUDITOR GENERAL'S OFFICE, }  
 Detroit, February 27, 1847. }

Hon. G. W. PECK, *Speaker of the House of Representatives* :

SIR :—The following resolution, which passed the House on the 25th inst., I have had the honor to receive :

*Resolved*, That the Auditor General be requested to inform this House of the full amounts paid for printing non-resident taxes, and to whom during the past year : the price paid for printing the revised statutes of 1846, and to whom, as soon as practicable.

The subjoined statement shows the amounts paid to the publishers of the several newspapers respectively, for publishing the lists of delinquent taxes during the past year, and which affords all the information required on that subject.

I am sir very respectfully yours,

D. V. BELL, *Aud. Gen'l.*

The communication and accompanying documents were laid on the table.

Mr. Price, from the committee on engrossment and enrollment, reported that the following bills and joint resolutions were correctly enrolled, and were this day presented to the Governor for his approval :

A bill to enable the township of Schoolcraft to accept the bequest of Franklin Howard ;

A bill to repeal part of an act entitled an act authorizing the construction of a wagon road on the line of the Northern Railroad, approved March 9th, 1843 ;

A bill to authorize Drusus Hodges to erect a dam across the Paw Paw river, in the county of Van Buren ;

A bill to authorize Cyprian S. Hooker to erect a dam across the east branch of Flat river, in the county of Kent ;

A bill relative to copies of the United States laws ;

Joint resolution for the relief of Harvey Sherman ; and

Joint resolution relative to the distribution of the session laws, journals and documents.

Mr. Price, from the same committee, reported that the following bills and joint resolution were correctly engrossed : -

A bill to authorize the supervisors of the county of Ionia to expend an appropriation for building a bridge at Lyons in such manner as they may deem best for the interest of said county ;

A bill to amend an act entitled an act to incorporate the Cottonwood Swamp turnpike company, approved March 9, 1844 ;

A bill to amend the charter of the city of Detroit ;

A bill to amend the charter of the Michigan Central Railroad Company ;

A bill to incorporate the Pioneer Smelting Company of the Upper Peninsula of Michigan ;

A bill to authorize Alfred A. Hunter and John Y. Larzalere to construct and maintain a dam across the Huron river ;

A bill to authorize Prosper Bunyen to keep up a dam across the Huron river in the county of Oakland ;

A joint resolution requiring the commissioner of the land office to withhold certain lands from sale, and

The House amendments to the Senate joint resolution relative to publishing the report of the superintendent of public instruction.

Mr. Noble moved that the House adjourn until seven o'clock this evening, which motion was lost, and

On motion of Mr. Knight,  
The House adjourned.

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*Monday, March 1, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Brooks, Seeley and Truesdell were absent on leave, Messrs. Eaton, Hollister, Kinne, Marantette, McFarlan, Noble, Seymour and Throop were absent without leave.

Mr. Van Duser asked and obtained leave<sup>of</sup> absence for Mr. Kinne for an indefinite period.

Mr. Kilborn for Mr. Marantette as above.

Mr. Goodrich for Mr. Eaton as above.

Mr. Jones for Mr. Hollister until Wednesday next.

The journal of Saturday was read and approved.

Mr. Goodwin, from the committee on state affairs, reported back with sundry amendments, and recommended its passage, the Senate bill to amend an act entitled an act to authorize William H. Cross and Seth C. Hanchett to erect a dam across the St. Joseph river, in the county of St. Joseph, approved February 17, 1846, which report was accepted, the committee discharged from the further consideration of the subject, and the bill and amendments were referred to the committee of the whole and placed on the general order.

Mr. Goodwin, from the same committee, reported back the bill to amend chapter thirty-eight of the revised statutes of 1846, entitled of the support of poor persons by counties, with a substitute therefor, entitled a bill in relation to the poor laws so far as Wayne and Calhoun counties are concerned, which report was accepted, the committee discharged from the consideration of the subject, and the bill and substitute were referred to the committee of the whole and placed on the general order.

The following communications were announced:

EXECUTIVE OFFICE, }  
Detroit, March 1, 1847. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to enable the township of Schoolcraft to accept the bequest of Franklin Howard ; also

An act to repeal part of an act entitled an act authorizing the construction of a wagon road on the line of the northern railroad, approved March 9, 1843 ; also

An act relative to copies of United States Laws ; also

An act to authorize Cyprian S. Hocker to erect a dam across the east branch of Flat river, in the county of Kent ; also

An act to authorize Drusus Hodges to erect a dam across the Paw Paw river, in the county of Van Buren ; also

A joint resolution for the relief of Harvey Sherman ; also

A joint resolution relative to the distribution of the session laws, journals and documents.

ALPHEUS FELCH.

On motion of Mr. Edmunds,

Leave was granted to withdraw from the files of the House, the petitions relative to obstructing the Huron river with dams so as to prevent the passage of fish.

On motion of Mr. Goodrich,

The bill to amend an act entitled an act to incorporate the Pontiac and Genesee Railroad Company, approved May 15. 1846, was taken from the table.

On motion of Mr. Kelsey,

The Senate joint resolution relative to a certain sum of money stolen from the treasurer's office in Shiawassee county, together with the amendments thereto, were taken from the table.

Mr. H. Mower, by unanimous consent, introduced a bill to amend section fifty of chapter fourteen of the revised statutes of 1846, which was read twice, and referred to the committee on the judiciary.

Mr. Kilborn, by unanimous consent, introduced a joint resolution relative to any unexpended balance of an appropriation on the Detroit and Grand river road, which was read twice and referred to the committee on public lands.

The Speaker, by unanimous consent, introduced a bill relative to certain transcribed records of the county of Livingston, which was read twice, and referred to the committee on the judiciary.

The Speaker, by unanimous consent, introduced a bill relative to proceedings and papers in certain criminal cases, which was read twice, when

Mr. Fralick moved to amend the same by adding thereto the following to stand as section three:

Sec. 3. So much of the provisions of chapter 173 of the act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846, as repeals an act to establish district courts in the counties of Wayne, Oakland, Washtenaw and Jackson, and to repeal an act entitled an act to establish a district court within the county of Wayne, approved March nine, 1848, and the several acts amendatory thereto, be and the same are hereby repealed—and the said act establishing said district courts, and the acts amendatory thereto, be and the same are hereby revived and continued in force for one year, so far as the same relate to and establish a district court in the county of Wayne and no further, and the said district court in the county of Wayne is hereby continued for one year with all the powers and duties heretofore conferred, imposed by said acts and exercised by said court.

Which amendment was negatived by the following vote:

YEAS.

Mr. Arzeno,  
Darrah,  
Driggs,  
Edmunds,  
Ferrington,  
Fralick,

Mr. Glen,  
Harris,  
Johnson,  
Jones,  
McFarlan,  
G. W. Moore.

Mr. Noble,  
O'Malley,  
Seymour,  
H. W. Taylor,  
Throop,  
Speaker, . 18

NAYS.

Mr. Adam,  
Barker,  
Bell,  
Britain,  
Brown,  
Clark,  
Coates,  
Davison,  
Deming,  
Dyckman,  
Faxon,  
Goodell,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Haydon,  
Hebard,  
Jennings,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
McGraw,  
Miller,

Mr. H. Mower,  
D. Pierce,  
J. D. Pierce,  
Price,  
Renwick,  
Shaw,  
Shook,  
C. H. Taylor,  
Turner,  
Upton,  
Van Duser,  
Walker, 36

Mr. Goodell moved to strike out the words "circuit court," wherever they occur in the bill, and insert 'county court' in lieu thereof, which motion was lost.

The bill was then ordered to be engrossed for a third reading and the engrossment having been dispensed with,

On motion of Mr. Goodwin,

The twenty-first rule was suspended, and

The bill was read the third time and passed.

The Speaker, by unanimous consent, introduced a bill to amend an act entitled an act for revising and consolidating the general statutes of the state of Michigan, approved the 18th day of May, 1846, which was read twice, referred to the committee of the whole, placed on the general order, and ordered to be printed.

On motion of Mr. H. Mower,

The committee of the whole were discharged from the consideration of the joint resolution in relation to the claim of Cyrus Dana, Rodney C. Payne and Job Brookfield, for relief, and it was ordered to be engrossed for a third reading.

Mr. Price, from the committee on engrossment and enrollment, reported that the joint resolution was correctly engrossed.

The following communication was announced by the Speaker :

SENATE CHAMBER, }  
Detroit, March 1, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit "a bill to continue in force an act to authorize the appointment of commissioners to take the acknowledgment of deeds and instruments of writing under seal out of the state," which the Senate have passed and in which the concurrence of the House is respectfully asked.

Your ob't serv't,

JAS. E. PLATT,

Sec. Senate.

The Senate "bill to continue in force an act to authorize the appointment of commissioners to take the acknowledgment of deeds and instruments of writing under seal out of the state," was read twice and referred to the committee on the judiciary.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, February 27, 1847. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to respectfully inform you that the Senate have concurred in the amendments made by the House to the “bill to regulate proceedings in in cases pending in chancery and circuit courts,” and have ordered the bill as amended to be enrolled.

Also, to return the “bill to amend chapter 60, of the revised statutes of 1846, relative to the public lands, and the superintendence and disposition thereof,” and to respectfully inform you that the Senate have concurred therein.

Also, to transmit a ‘joint resolution repealing an act entitled an act amendatory to the several acts touching license, approved May 12th, 1846, and also repealing sections 27 to 32 inclusive, of chapter 41 of the revised statutes of 1846, as regards taverns and other licensed houses,’ which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Your obedient servant,

JAMES E. PLATT,

*Sec’y. of Senate.*

The bill to amend chapter sixty of the revised statutes of 1846, relative to the public lands, and the superintendence and disposition thereof, was ordered to be enrolled.

The Senate joint resolution repealing an act entitled an act amendatory to the several acts touching licenses, approved May 12, 1846; and also repealing sections twenty-seven to thirty-two inclusive, of chapter forty-one of the revised statutes of 1846, as regards taverns and other licensed houses, was read twice and referred to the committee on state affairs.

The following bills and joint resolutions, were severally read the third time and passed, viz :

A bill to authorize Alfred A. Hunter and John Y. Larzalere, to construct and maintain a dam across the Huron river.

A bill to authorize Prosper Bunyea to keep up a dam across the Huron river in the county of Oakland.

A joint resolution requiring the commissioner of the land office to withhold certain lands from sale.



A joint resolution in relation to the claim of Cyrus Dana, Rodney C. Payne and Job Brookfield, for relief, and

A joint resolution relative to publishing the report of the superintendent of public instruction.

The bill to incorporate the Pioneer Smelting Company, of the upper peninsula of Michigan, was read the third time and passed by a two-thirds vote, as follows:

YEAS.

Mr. Adam,	Mr. Fralick,	Mr. G. W. Moore,
Arzeno,	Goodell,	H. Mower,
Barker,	Goodrich,	O'Malley,
Bell,	Goodwin,	D. Pierce,
Britain,	Goodyear,	J. D. Pierce,
Brown,	Haydon,	Pond,
Chubb,	Hebard,	Pride,
Clark,	Harrington,	Reitwick,
Coates,	Jennings,	Shook,
Culver,	Jones,	C. H. Taylor,
Darrah,	Kelsey,	Throop,
Davison,	Kilborn,	Turner,
Deming,	Knight,	Upton,
Driggs,	Makley,	Van Duser,
Dyckman,	McFarlan,	Walker,
Faxon,	Miller,	Speaker,

48

NAYS.

Mr. Edmunds,	Mr. Harris.	Mr. Lomis,
Ferrington,	Johnson,	Noble
Glen,		

7

The bill to authorize the supervisors of the county of Ionia to expend an appropriation for building a bridge at Lyons, in such manner as they may deem best for the interest of said county, was read the third time and passed, and

On motion of Mr. Bell,

The title was amended by striking out all after the word "expend," and inserting "certain moneys."

The bill to amend the charter of the Michigan Central Railroad Company was read the third time and passed by a two thirds vote, as follows :

YEAS.

Mr. Adam,	Mr. Faxon,	Mr. McFarlan,
Arzeno,	Ferrington,	G. W. Moore,
Barker,	Fralick,	O'Malley,

Bell,  
Britain,  
Brown,  
Chubb,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Edmunds,

Glen,  
Goodell,  
Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Hebard,  
Jennings,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,

D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Shook,  
C. H. Taylor,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker, 48

## NAYS.

Mr. Haydon,  
Harrington,

Mr. Johnson,  
Jones,

Mr. Noble, 5

The bill to amend the charter of the city of Detroit was read the third time and passed by a two thirds vote, as follows :

## YEAS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Britain,  
Brown,  
Chubb,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Edmunds,  
Faxon,  
Ferrington,

Mr. Fralick,  
Glen,  
Goodell,  
Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,

Mr. McFarlan,  
McGraw,  
Miller,  
G. W. Moore,  
H. Mower,  
Noble,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker, 53

## NAYS.

00

The bill to amend an act entitled an act to incorporate the Cottonwood Swamp Turnpike Company, approved March 9, 1844, was read the third time, and the question being on its passage, it was not passed, two thirds of the whole House not voting in the affirmative, as follows :

## YEAS.

Mr. Adam,  
Britain,

Mr. Harris,  
Haydon,

Mr. G. W. Moore,  
O'Malley,

Brown,  
Clark,  
Coates,  
Culver,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Faxon,  
Glen,  
Goodell,  
Goodrich,

Hebard,  
Harrington,  
Jennings,  
Johnson,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
McFarlan,  
McGraw,

D. Pierce,  
J. D. Pierce,  
Price,  
Renwick,  
Shook,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker,

40

NAYS.

Mr. Arzeno,  
Barker,  
Chubb,  
Darrah,

Mr. Ferrington,  
Fralick,  
Goodwin,  
Miller,

Mr. Noble,  
Pond,  
C. H. Taylor,

11

Mr. Driggs moved a reconsideration of the last vote, when Mr. D. Pierce moved to lay the motion to reconsider on the table, which motion was lost, and the vote was reconsidered.

On motion of Mr. Goodwin, by unanims consent, the third section was amended by striking out all after the word "Lenawee" in the third line.

The question then recurring on the passage of the bill, it was no passed by the following vote :

YEAS.

Mr. Adam,  
Bell,  
Britain,  
Brown,  
Coates,  
Culver,  
Deming,  
Driggs,  
Edmunds,  
Faxon,  
Glen,  
Goodell,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Harrington,  
Jennings,  
Johnson,  
Kelsey,  
Knight,  
Lomis,  
Makley,

Mr. McGraw,  
D. Pierce,  
Pond,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker,

36

NAYS.

Mr. Arzeno,  
Barker,  
Chubb,  
Darrah,

Mr. Ferrington,  
Fralick,  
Jones,  
G. W. Moore,

Mr. Noble,  
O'Malley,  
Price,

11

## UNFINISHED BUSINESS.

On motion of Mr. Kelsey,

The Senate joint resolution relative to a certain sum of money stolen from the treasurer's office of Shiawassee county, was laid on the table.

The House then took up the bill to amend an act entitled an act to incorporate the Pontiac and Genesee Railroad Company, approved May 15, 1846, and

Mr. Goodrich moved to amend the seventh line of the first section, by inserting after the word "running," the words "through the village of Fentonville."

Pending which, Mr. Hebard by common consent presented the remonstrance of George H. Hazelton and other citizens of Genesee county, against any change in the charter of the Pontiac and Genesee Railroad Company, which was read and laid on the table.

The question then being on the motion to amend, it was decided in the negative, and the bill was ordered to be engrossed and read the third time.

The following message was received from the Senate :

SENATE CHAMBER, }  
Detroit, March 1, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit a "bill to continue and regulate the district courts for the counties of Wayne, Oakland, Washtenaw and Jackson, for one year," which the Senate have passed and in which the concurrence of the House is respectfully asked.

Your obedient servant,

JAMES E. PLATT,

*Secretary of the Senate.*

The Senate bill to continue and regulate the district courts for the counties of Wayne, Oakland, Washtenaw and Jackson for one year, was read twice, when

Mr. D. Piérce moved to amend the bill by striking out the word "Washtenaw," wherever it occurs, which motion was lost.

Mr. Johnson moved to strike out the word "Jackson," wherever it occurs in the bill, which motion did not prevail.

Mr. H. Mower moved to strike out all after the enacting clause, which motion prevailed by the following vote :

## YEAS.

Mr. Bell,  
Britain,  
Brown,  
Chubb,  
Clark,  
Culver,  
Davison,  
Driggs,  
Dyckman,  
Edmunds,  
Faxon,  
Goodell,

Mr. Goodwin,  
Goodyear,  
Haydon,  
Hebard,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
McGraw,

Mr. Miller,  
H. Mower,  
D. Pierce,  
J. D. Pierce,  
Price,  
Renwick,  
Shaw,  
Shook,  
C. H. Taylor,  
Turner,  
Van Duser,

35

## NAYS.

Mr. Adam,  
Arzeno,  
Coates,  
Darrah,  
Deming,  
Ferrington,

Mr. Fralick,  
Glen,  
Goodrich,  
Harrington,  
McFarlan,

Mr. G. W. Moore,  
Noble,  
Throop,  
Walker,  
Speaker

16

And the further consideration of the enacting clause was indefinitely postponed.

On motion of Mr. Driggs,

The House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Brooks, Eaton, Hollister, Kinne, Marquette, Seeley and Truesdell were absent on leave, and Messrs. Britain, Edmunds, Goodrich, Goodwin, Goodyear, Johnson, Jones, Kelsey, Miller, O'Malley, Seymour and H. W. Taylor, were absent without leave.

Mr. Price, from the committee on engrossment and enrollment, reported that the bill to amend an act entitled an act to incorporate the Pontiac and Genesee Railroad Company, approved May 15, 1846, was correctly engrossed.

Mr. Price, from the same committee, also reported that the bill to amend chapter sixty of the revised statutes of 1846, relative to the public lands and the superintendence and disposition thereof, was correctly enrolled and was this day presented to the Governor for his approval.

On motion of Mr. Turner,

The House resolved itself into committee of the whole on the bill to incorporate the Adrian and Coldwater Plank Road Company, Mr. H. Mower in the chair.

After some time the committee rose and by their chairman reported the bill back to the House with amendments, in which the concurrence of the House was asked.

The first amendment was concurred in, when

On motion of Mr. Edmunds,

A call of the House was had, and Messrs. Bell, Chubb, Dyckman, Ferrington, Glen, Harris, Hebard, Harrington, Jennings, Kilborn, McFarlan, Miller, O'Malley, J. D. Pierce, Seymour, H. W. Taylor and Upton were absent without leave.

Mr. Edmunds moved to dispense with all further proceedings under the call, which motion was lost, and

On motion of Mr. Goodwin,

The sergeant-at-arms was despatched for the absentees.

Some of the absentees having returned,

On motion of Mr. Edmunds,

All further proceedings under the call were dispensed with, and the remainder of the amendments made in committee of the whole to the bill were severally concurred in.

On motion of Mr. Britain,

Section twenty-one was stricken out and the following inserted:

"Sec. 21. This act shall be subject to all general laws relative to incorporations, and such amendments as shall be made thereto so far as the same shall be applicable.

Mr. Noble moved to amend the bill by adding thereto the following to stand as section twenty-three:

"Sec. 23. The stockholders of this company shall be personally liable for all the debts of said company, after the corporate property of the company shall have been exhausted."

Mr. Britain moved to amend the amendment, by inserting "to the full amount of their stock," after the word 'company,' which motion was lost, and the original amendment was adopted by the following vote:

## YEAS.

Mr. Adam,	Mr. Ferrington,	Mr. Lomis,
Arzeno	Fralick,	Makley,
Barker,	Glen,	McGraw,
Bell,	Goodell,	Miller,
Brown,	Goodrich,	G. W. Moore,
Clark,	Goodwin,	Noble,
Coates,	Harris,	J. D. Pierce,
Culver,	Haydon,	Price,
Darrah,	Harrington,	Shaw,
Davison,	Jennings,	Sbook,
Deming,	Johnson,	C. H. Taylor,
Driggs,	Jones,	Van Duser,
Dyckman,	Kilborn,	Walker,
Edmunds,	Knight,	Speaker,
Faxon,		43

## NAYS.

Mr. Britain,	Mr. D. Pierce,	Mr. Turner,
Goodyear,	Renwick,	Upton,
Kelsey,		7

The bill was then ordered to be engrossed and read the third time.

The following message was received from the Senate:

SENATE CHAMBER,  
*Detroit, March 1, 1847.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the “bill relative to proceedings and papers in certain criminal cases,” and to respectfully inform you that the Senate have concurred therein.

Also to request the House to return to the Senate the joint resolution repealing an act entitled an act amendatory to the several acts touching licenses, approved May 12, 1846, and also repealing sections 26 to 32 inclusive, of chapter 41, of the revised statutes of 1846, as regards taverns and other licensed houses.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The bill relative to proceedings and papers in certain criminal cases, was ordered to be enrolled.

On motion of Mr. J. D. Pierce,

The Clerk was directed to return to the Senate the joint resolution repealing an act entitled an act amendatory to the several acts touch-

ing licenses, approved May 12, 1846, and also repealing sections twenty-seven to thirty-two inclusive, of chapter forty-one of the revised statutes of 1846, as regards taverns and other licensed houses.

Mr. Price, from the committee on engrossment and enrollment reported that the bill relative to proceedings and papers in certain criminal cases, was correctly enrolled, and was this day presented to the governor for his approval.

The House then resolved itself into committee of the whole on general order, Mr. Johnson in the chair.

After some time, the committee rose, and by their chairman reported back with amendments, in which the concurrence of the House was asked.

A bill to amend an act entitled an act to amend an act entitled an act to incorporate the Detroit and Grand River Plank Road Company, approved March 12, 1844 ;

A bill to incorporate the Marshall Woolen Mills, in the county of Calhoun ;

A bill in relation to teachers' institutes for the instruction of teachers of common schools ; and

A bill to provide for the draining of swamps, marshes and other low lands.

The first amendment made to the bill to amend an act entitled an act to amend an act entitled an act to incorporate the Detroit and Grand River Plank Road Company, approved March 12, 1846, was concurred in, and

On motion of Mr. Johnson,

The further consideration of the bill was indefinitely postponed.

The bill to incorporate the Marshall Woolen Mills, in the county of Calhoun, being under consideration, and the question being on concurring in the first amendment, which strikes out all of section seven after the word "corporation" in the second line, when

On motion of Mr. Britain,

The amendment was amended by retaining all of the language proposed to be stricken out after the words "paid in," in the third line, and the amendment as amended was then concurred in.

The second amendment was concurred in, and

On motion of Mr. Adam,



The words "so fixed and" were stricken out of the fourth line of section seven.

On motion of Mr. Britain,

The following proviso was added to section four: "Provided, that the real estate which the company may hold shall be only such as shall be necessary for the corporate uses of said company."

The bill was then ordered to be engrossed and read the third time.

The amendment striking out all after the enacting clause to the bill in relation to teachers' institutes for the instruction of teachers of common schools, was concurred in, and the further consideration of the enacting clause was indefinitely postponed.

On motion of Mr. D. Pierce,

The bill to provide for the draining of swamps, marshes and other low lands, together with the amendment thereto, striking out all after the enacting clause, was laid on the table.

Mr. Noble, from the committee on the judiciary, by unanimous consent, reported back the Senate bill to continue in force an act to authorize the appointment of commissioners to take the acknowledgment of deeds and instruments in writing under seal out of the state, and recommended its passage, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Noble, from the same committee, by unanimous consent, reported back the bill to amend section fifty of chapter fourteen of the revised statutes of 1846, and reported adverse to its passage.

On motion of Mr. Noble, the bill was laid on the table.

Mr. Noble, from the same committee, by unanimous consent, reported back the Senate bill to authorize Nathaniel A. Balch, as administrator, to sell certain lands of which the late Walter Clark died possessed, and reported adverse to its passage, and

On motion of Mr. Goodwin,

The further consideration of the bill was indefinitely postponed.

Mr. Noble, from the same committee, by unanimous consent, reported back the Senate bill for the relief of Priscilla Eddy, widow of Samuel Eddy deceased, and the bill relative to certain transcribed records of the county of Livingston, and recommended their passage, and the bills were referred to the committee of the whole and placed on the general order.

Mr. Johnson, from the committee on banks and incorporations, by unanimous consent, reported back the Senate bill to incorporate the Leoni theological institute, and the Senate bill to amend an act entitled an act relative to free schools in the city of Detroit, approved February 17, 1842, and recommended their passage, and the bills were referred to the committee of the whole and placed on the general order.

The following communication was received from the Executive :

EXECUTIVE OFFICE, }  
Detroit, March 1, 1847. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State "an act relative to proceedings and papers in certain criminal cases."

Also "an act to amend chapter sixty of the revised statutes of eighteen hundred and forty-six, relative to the public lands and the superintendence and disposition thereof."

ALPHEUS FELCH.

Mr. Noble moved that the House adjourn until seven o'clock, which motion prevailed by the following vote :

YEAS.

Mr. Adam,  
Barker,  
Brown,  
Coates,  
Dyckman,  
Edmunds,  
Ferrington,  
Fralick,  
Glen,

Mr. Goodell,  
Goodrich,  
Goodwin,  
Goodyear,  
Harrington,  
Jennings,  
Jones,  
Kelsey,  
Kilborn,

Mr. McFarlan,  
Noble,  
D. Pierce,  
Renwick.  
Shaw,  
Throop,  
Van Duser,  
Speaker,

26

NAYS.

Mr. Arzeno,  
Britain,  
Chubb,  
Clark,  
Darrah,  
Davison,  
Deming,  
Driggs,

Mr. Faxon,  
Harris,  
Haydon,  
Johnson,  
Lomis,  
Makley,  
McGraw,  
Miller,

Mr. G. W. Moore,  
Pond,  
Price,  
Shook,  
C. H. Taylor,  
Upton,  
Walker,

23

The House then adjourned to meet at seven o'clock.

*Evening Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Brooks, Eaton, Hollister, Kinne, Marantette, Seeley and Truesdell were absent on leave, and Messrs. Arzeno, Brown, Clark, Coates, Culver, Davison, Deming, Driggs, Ferrington, Goodwin, Goodyear, Harris, Haydon, Harrington, Jennings, Jones, Kilborn, Knight, McFarlan, McGraw, G. W. Moore, H. Mower, Noble, O'Malley, J. D. Pierce, Price, Seymour, Shook, C. H. Taylor, H. W. Taylor, Throop, Turner, Upton, Van Duser and Walker were absent without leave.

Mr. Hebard moved an adjournment, which motion was lost.

Mr. Adam moved that the sergeant-at-arms be dispatched for such of the absentees as voted to hold an evening session.

Mr. Goodyear moved to amend the motion so as to send the sergeant-at-arms for all those absent, which amendment was lost.

And the question recurring on the original motion, it prevailed.

Several of the absentees having taken their seats,

Mr. Johnson moved that all further proceedings under the call be dispensed with, which motion was lost.

Mr. Johnson moved an adjournment, but the house refused to adjourn.

Mr. Johnson moved to dispense with all further proceedings under the call, which motion did not prevail.

Mr. J. D. Pierce asked and obtained leave of absence for Mr. H. W. Taylor, on account of ill health.

Mr. Kilborn for Mr. Shook, for the same reason.

Mr. Glen moved that leave of absence be granted to all who were absent, which motion was lost.

On motion of Mr. Goodwin,

All further proceedings under the call were dispensed with.

The House then resolved itself into committee of the whole on the general order, Mr. Edmunds in the chair.

And after some time, the committee rose and by their chairman reported back to the House without amendment,

A joint resolution relative to a settlement of the claims Harry V. Man and Nathan N. Kendall.

The committee also reported back with amendments, in which the concurrence of the House was asked,

A bill to amend an act entitled an act to incorporate the city of Monroe;

A bill to incorporate the Pontiac and Corunna Plank Road Company;

A bill to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence;

A bill to amend an act entitled an act to incorporate the village of Grand Rapids, approved April 5, 1838; and

A joint resolution relative to the amount due the University fund from the county of Lenawee.

The amendments to the bill to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, were concurred in; and

Mr. Noble moved to amend the bill by adding thereto the following, to stand as section two;

“Sec. 2. No person shall recover in any action at law for trespass on lands any more costs than the amount of judgment recovered in such case.”

Mr. Throop moved to amend the amendment by inserting “unenclosed” before “lands,” which motion was lost, and the additional section was adopted.

The bill was then ordered to be engrossed and read the third time.

The amendments to the bill to incorporate the Pontiac and Corunna Plank Road Company, were all concurred in, except the amendment inserting the word “twelve” before “cents,” in the eighth line of section eleven, which amendment was non-concurred in.

On motion of Mr. Adam,

“Fifteen” was inserted before “cents” in said line and section, and the bill was ordered to be engrossed and read time.

The amendments to the bill to amend an act entitled an act to incorporate the city of Monroe, were concurred in, and

On motion of Mr. Noble.

The bill was laid on the table.

The amendments to the bill to amend an act entitled an act to incorporate the village of Grand Rapids, approved April 5, 1838, were

concurrent in, and the bill ordered to be engrossed and read the third time.

The amendments to the joint resolution relative to the amount due the university fund from the county of Lenawee, were concurred in, ordered to be engrossed, and the joint resolution ordered to be read the third time.

The joint resolution relative to a settlement of the claims of Harry V. Mun and Nathan N. Kendall was ordered to be engrossed, and read the third time.

The House then resolved itself into committee of the whole on the general order, Mr. Adam in the chair.

After some time, the committee rose and reported back to the House without amendment, a bill to incorporate the Raisin Institute, and it was ordered to be engrossed and read the third time.

The committee also reported back with amendments, in which the concurrence of the House was asked, a bill to restore certain forfeited rights to A. Hamilton Smith and Dempster B. Wood, which amendments were concurred in, ordered to be engrossed, and the bill ordered to a third reading.

On motion of Mr. Glen,  
The House adjourned.

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*Tuesday, March 2, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Brooks, Eaton, Hollister, Kinne and Marantette were absent on leave, and Messrs. Dyckman, Faxon, Goodwin, Harrington and Seymour, were absent without leave.

The journal of yesterday was read and approved.

Mr. Van Duser presented the petition of Richard B. Coleman and others, for the incorporation of a company to construct a plank road from Adrian to Coldwater. Laid on the table.

Mr. Glen, from the committee on public lands, reported back without action, the joint resolution relative to an unexpended balance of an appropriation on the Detroit and Grand River road, and asked to

be discharged from its further consideration, which report was accepted and the committee discharged.

On motion of Mr. Goodwin,

The joint resolution was laid on the table.

Mr. Price, from the committee on engrossment and enrollment, reported that the following bills and joint resolution were correctly engrossed :

A bill to incorporate the Pontiac and Corunna Plank Road Company ;

A bill to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence ;

A bill to incorporate the Adrian and Coldwater Plank Road Company ;

A bill to incorporate the Marshall Woolen Mills, in the county of Calhoun ;

A bill to incorporate the Raisin Institute ;

A bill to amend an act entitled an act to incorporate the village of Grand Rapids, approved April 5, 1838 ;

A joint resolution relative to a settlement of the claims of Harry V. Man and Nathan N. Kendall ;

The House amendments to the Senate bill to restore certain forfeited rights to A. Hamilton Smith and Dempster B. Wood ; and

The House amendments to the Senate joint resolution relative to the amount due the University fund from the county of Lenawee.

On motion of Mr. Adam,

The committee on state affairs were instructed to report back the Senate joint resolution repealing an act entitled an act amendatory to the several acts touching licenses, approved May 12, 1846, and also repealing sections twenty-six to thirty-two inclusive, of chapter forty-one of the revised statutes of 1846, as regards taverns and other licensed houses.

Mr. H. W. Taylor moved that the bill to incorporate the Marshall Woolen Mills in the county of Calhoun, be recommitted to the committee on banks and incorporations, with instructions to restore the words in the seventh section struck out by the committee of the whole and by the House, which motion was lost by the following vote :

## YEAS.

Mr. Barker,  
Bell,  
Britain,  
Chubb,  
Coates,  
Deming,  
Driggs,  
Dyckman,

Mr. Faxon,  
Goodell,  
Goodrich,  
Goodyear,  
Harris,  
Haydon,  
Kelsey,  
Knight,

Mr. Makley,  
H. Mower,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Renwick,  
H. W. Taylor,  
Truesdell, 24

## NAYS.

Mr. Adam,  
Arzeno,  
Brown,  
Clark,  
Culver,  
Darrah,  
Davison,  
Edmunds,  
Ferrington,  
Fralick,  
Glen,  
Goodwin,

Mr. Hebard,  
Harrington,  
Jennings,  
Johnson,  
Jones,  
Kilborn,  
Lomis,  
McFarlan,  
McGraw,  
Miller,  
G. W. Moore,  
Noble,

Mr. Pond,  
Price,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,  
Upton,  
Van Duser,  
Walker,  
Speaker. 35

Mr. Britain offered the following resolution :

*Resolved*, That the committee on the judiciary be instructed to bring in a bill providing for the organization of an additional judicial circuit, and for the appointment of an additional judge of the supreme court.

Which resolution was,

On motion of Mr. J. D. Pierce, laid on the table.

Mr. D. Pierce gave notice that on some future day he should ask leave to introduce a bill for the incorporation of the village of Lansing, in Ingham county.

The joint resolution relative to a settlement of the claims of Harry V. Man and Nathan N. Kendall, was read the third time and passed.

The bill to amend an act entitled an act to incorporate the village of Grand Rapids, approved April 5, 1838, was read the third time and passed by a two thirds vote as follows :

## YEAS.

Mr. Adam,  
Barker,  
Britain,  
Brown,

Mr. Goodell,  
Goodrich,  
Goodwin,  
Goodyear,

Mr. Noble,  
O'Malley,  
J. D. Pierce,  
Price,

Chubb,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,  
Glen,

Harris,  
Haydon,  
Hebard,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Knight,  
Lomis,  
Makley,  
McFarlan,  
McGraw,  
Miller,  
G. W. Moore,

Renwick,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker,

53

## NAYS.

Mr. Bell,

1

The bill to incorporate the Raisin Institute, was read the third time and the question being on its passage, the following was the vote thereon :

## YEAS.

Mr. Adam,  
Barker,  
Bell,  
Britain,  
Brown,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Faxon,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Hebard,  
Johnson,  
Jones,  
Kelsey,  
Knight,  
Lomis,  
Makley,  
McGraw,

Mr. Miller,  
G. W. Moore,  
H. Mower,  
O'Malley,  
Seeley,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Turner,  
Upton,  
Van Duser,  
Walker,  
Speaker,

40

## NAYS.

Mr. Arzeno,  
Chubb,  
Edmunds,  
Ferrington,  
Fralick,  
Glen,

Mr. Goodell,  
Jennings,  
McFarlan,  
Noble,  
D. Pierce,  
J. D. Pierce,

Mr. Price,  
Renwick,  
Shaw,  
Throop,  
Truesdell,

17

The Speaker decided that as two thirds of all the members of the House had not voted in favor of the passage of the bill, it was lost.

Mr. Adam appealed from this decision, and

On motion of Mr. Truesdell,

The appeal was laid on the table.

On motion of Mr. Knight, the House adjourned.



*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Brooks, Eaton, Hollister and Kinne were absent on leave, and Messrs. Darrab, Harrington, Johnson, Jones, H. Mower, O'Malley, Pond, Seymour, C. H. Taylor and H. W. Taylor, were absent without leave.

The bill to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, was read the third time and passed by the following vote :

**YEAS.**

Mr. Adam,	Mr. Goodell,	Mr. H. Mower,
Arzeno,	Goodwin,	Noble,
Barker,	Goodyear,	O'Malley,
Britain,	Haydon,	J. D. Pierce,
Brown,	Hebard,	Pond,
Clark,	Jennings,	Price,
Coates,	Kelsey,	Renwick,
Culver,	Kilborn,	Seeley,
Darrab,	Knight,	Shaw,
Davison,	Lomis,	C. H. Taylor,
Driggs,	Makley,	Truesdell,
Dyckman,	McGraw,	Upton,
Edmunds,	Miller,	Walker,
Faxon,	G. W. Moore,	Speaker,
Glen,		

43

**NAYS.**

Mr. Bell,	Mr. Johnson,	Mr. Shook,
Chubb,	Jones,	Throop,
Deming,	McFarlan,	Turner,
Fralick,	D. Pierce,	Van Duser,
Harris,		

13

The Senate bill to restore certain forfeited rights to A. Hamilton Smith and Dempster B. Wood, was read the third time, and,

On motion of Mr. Glen,

Recommitted to the committee on public lands, with instructions to strike out section two and insert the following :

"Sec. 2. The provisions of the preceding section shall apply to John D. Worden, purchaser of the south west quarter of section sixteen, in town three south of range four west, per certificate number 1445. and to Samuel C. Worden, purchaser of the north west quarter of the north west quarter, and the north east quarter of the north west

quarter of section sixteen, in town three south of range four west, per certificates number 1377, 1378."

Also strike out the word "university," in the first section, and insert "primary school;" and amend the title by striking out "A. Hamilton Smith and Dempster B. Wood," and insert 'certain purchasers of primary school lands.'

The Senate joint resolution relative to the amount due the university fund from the county of Lenawee, was read the third time and and passed by the following vote:

## YEAS.

Mr. Adam,	Mr. Faxon,	Mr. G. W. Moore,
Arzeno,	Fralick,	H. Mower,
Bell,	Goodell,	Noble,
Britain,	Goodwin,	O'Malley,
Brown,	Harris,	J. D. Pierce,
Chubb,	Haydon,	Pond,
Clark,	Hebard,	Price,
Coates,	Jennings,	Renwick,
Culver,	Kelsey,	Seeley,
Darrah,	Kilborn,	Shaw,
Davison,	Knight	Shook,
Deming,	Lomis,	Throop,
Driggs,	Makley,	Turner,
Dyckman,	McGraw	Upton,
Edmunds,	Miller,	Walker,

45

## NAYS.

Mr. Barker,	Mr. Johnson,	Mr. C. H. Taylor,
Glen,	Jones,	Van Duser,
Goodyear,	D. Pierce,	Speaker,

9

And the title was amended by striking out the words "joint resolution" and inserting "a bill."

On motion of Mr. Truesdell,

The appeal from the decision of the Speaker this morning laid on the table, was taken therefrom; and the question being, "Shall the decision of the chair stand as the judgment of the House?" it was decided in the negative by the following vote:

## YEAS.

Mr. Arzeno,	Mr. Goodell,	Mr. Noble,
Brown,	Goodyear,	O'Malley,
Chubb,	Hebard,	J. D. Pierce,
Darrah,	Jennings,	Pond,
Davison,	Johnson,	Price,
Dyckman,	Jones,	Renwick,
Edmunds,	Makley,	Shaw,
Fralick,	G. W. Moore,	Throop,

24

NAYS.

Mr. Adam,	Mr. Glen,	Mr. H. Mower,
Barker,	Goodwin,	D. Pierce,
Bell,	Harris,	Seeley,
Britain,	Haydon,	Shook,
Clark,	Kelsey,	C. H. Taylor,
Contes,	Kilborn,	Truesdell,
Culver,	Knight,	Turner,
Deming,	Lomis,	Upton,
Driggs,	McGraw,	Van Duser,
Faxon,	Miller,	Walker,

30

Mr. Goodwin moved a reconsideration of the last vote, and

On motion of Mr. Noble,

The motion to reconsider was laid on the table.

On motion of Mr. J. D. Pierce,

The following bills were laid on the table :

A bill to amend an act entitled an act to incorporate the Pontiac and Genesee Railroad Company, approved May 15, 1846;

A bill to incorporate the Adrian and Coldwater Plank Road Company;

A bill to incorporate the Pontiac and Corunna Plank Road Company; and

A bill to incorporate the Marshall Woolen Mills, in the county of Calhoun.

The House then resolved itself into committee of the whole, on the general order, Mr. Noble in the chair.

After some time the committee rose, and by their chairman reported back to the House without amendment,

A bill to provide for the payment of George A. Robinson;

A bill to amend chapter twenty-one of the revised statutes of 1846, relative to specific state taxes and duties;

A bill to provide for the re-assessment of certain taxes for the year eighteen hundred and forty-four, in the township of Burns, in the county of Shiawassee;

A bill to amend chapter one hundred and twelve of the revised statutes of 1846;

A bill to amend chapter forty-one of the revised statutes of 1846, entitled of taverns and other licensed houses;

A bill amendatory to the act to provide for organizing an active militia, and for other purposes;

Clark,  
Coates,  
Dyckman,  
Edmunds,

Goodyear,  
Hebard,  
Jennings,  
Noble,

Throop,  
Van Duser,  
Walker,

20

## NAYS.

Mr. Arzeno,  
Barker,  
Britain,  
Chubb,  
Culver,  
Davison,  
Deming,  
Driggs,  
Faxon,  
Glen,

Mr. Goodell,  
Haydon,  
Johnson,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
McGraw,  
Miller,  
G. W. Moore,

Mr. O'Malley,  
J. D. Pierce,  
Price,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
Truesdell,  
Upton,  
Speaker, 30

Mr. Seeley moved that the House adjourn, which motion was decided in the negative.

Mr. Edmunds moved that the House go into committee of the whole on the general order, which motion did not prevail.

On motion of Mr. J. D. Pierce,

The House adjourned.

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*Wednesday, March 3, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. Brooks, Eaton, Kinne and Marantette were absent on leave, and Messrs. Chubb, McFarlan, Noble and Seymour were absent without leave.

The journal of yesterday was read and approved.

## PETITIONS PRESENTED.

By Mr. Truesdell. Of Calvin Townsend and forty other citizens of the township of Manchester, in the county of Washtenaw, for an extension of the charter of the Farmers' and Mechanics' Bank of Michigan. Laid on the table.

By Mr. Adam. Of B. Follett and others, of Ypsilanti, in relation to further securities for bank bills issued within this state. Laid on the table.

By Mr. Harris. Of the supervisors of the county of Ottawa, ask-

ing for an extension of time for the collection of the taxes in the township of Norton. Referred to the committee on ways and means.

By Mr. Davison. Of Julius Dean and one hundred and twelve other inhabitants of the village of Pontiac, for a repeal of their village charter. Laid on the table.

Mr. Glen, from the committee on public lands, reported a bill to provide for the payment of damages for the right of way through the public lands of this state, which have been purchased but not fully paid for, which was referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. Glen, from the same committee, reported a bill to amend chapter fifty-eight of the revised statutes of 1846, relative to the distribution of the income of the school fund, which was read twice and ordered to be engrossed for a third reading.

On motion of Mr. Adam, ●

The twenty-first rule was suspended and the engrossment of the bill having been dispensed with, it was read the third time and passed.

Mr. Glen, from the same committee, reported back the Senate bill to restore certain forfeited rights to A. Hamilton Smith and Dempster B. Wood, amended in accordance with the instructions, and the bill was passed, and its title amended by striking out "A. Hamilton Smith and Dempster B. Wood," and inserting "certain purchasers of primary school lands.

Mr. Adam, from the select committee on constitutional amendments, submitted the following report, which was read, accepted, and the committee discharged:

The select committee, to whom were referred sundry resolutions proposing certain amendments to the constitution, have drawn up in a form prepared for separate submission to the next legislature and to the people, the amendments agreed to by the House, in regard to the "election of state officers by the people," "ineligibility of judges and other officers," "limitation of pay of members," "election of judges by the people" and single "representative districts," including Senatorial districts electing one Senator annually; and of which several amendments they recommend the adoption, with a modification of the third amendment, limiting the pay of members at two dollars a

day for the first forty instead of thirty days. The amendment referred to the committee in regard to biennial sessions, they find would require considerable other alterations in various parts of the constitution, and throughout the entire frame work of our laws, and a majority of the committee believe that if the limitation of pay of members above mentioned, should be adopted, the great evils of too frequent changes in our statute laws, sought to be cured, in some degree, by biennial sessions, would be remedied full as effectually, and without the evils incident to leaving the whole machinery of government without legislative control or supervision for two years. The amendment proposing "equal suffrage to colored persons," your committee believe, as appears to have been also the decision of the House, by its previous action, would be so little likely to receive the sanction of the people, that its submission is entirely unnecessary. The only other amendment referred to the committee, was one proposing certain new constitutional provisions and restrictions, in regard to corporations. These not having been acted upon or discussed in the House, and as the committee doubted whether the legislature at its present session, could mature proper amendments upon that subject, however important and desirable it might be to have some action thereon, the committee beg leave simply to report them back recommending that they be printed, in such manner as to bring them before the people and the next legislature for consideration.

On motion of Mr. J. D. Pierce,

The joint resolution proposing certain amendments to the constitution, was laid on the table and ordered to be printed:

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Detroit, March 2, 1847. }

*To the Senate and House of Representatives:*

In accordance with the request therein contained, I herewith transmit to the Legislature a copy of certain joint resolutions adopted by the General Assembly of the State of Missouri.

ALPHEUS FELCH.

The communication and accompanying document were referred to the committee on the militia.

The following message was received from the Senate :

SENATE CHAMBER. }  
Detroit, March 2, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to inform the House that the resolution requesting the House to return the joint resolution in regard to licenses, &c., has been rescinded by the Senate.

Very respectfully,

JAS. E. PLATT,  
*Sec'y. of Senate.*

Mr. Throop, by unanimous consent, introduced a bill giving criminal jurisdiction to the Wayne County Court, which was read twice, referred to the committee of the whole, placed on the general order, and ordered to be printed.

On motion of Mr. Barker,

The vote was reconsidered by which all after the enacting clause was stricken out of the bill to attach certain townships in the county of Gratiot to the county of Clinton, and the question recurring on striking out, it was lost and the bill was ordered to be engrossed and read the third time.

On motion Mr. Harrington,

The bill to amend an act entitled an act to provide for laying out and establishing a state road and for other purposes, was taken from the table.

On motion of Mr. Goodrich,

The bill to amend an act entitled an act to incorporate the Pontiac and Genesee Rail Road Company, approved May 15, 1846, was taken from the table.

On motion of Mr. H. Mower,

The bill to authorize the minor heirs of the late Martha Town, deceased, to release their claims to a certain tract of land, was taken from the table.

On motion of Mr. Noble,

The bill to amend an act entitled an act to incorporate the city of Monroe, was taken from the table.

On motion of Mr. Adam,

The motion to reconsider the vote by which the decision of the Speaker was yesterday reversed, was taken from the table.

On motion of Mr. Seeley,

The House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Brooks, Eaton, Kinne, and Marantette were absent on leave, and Messrs. Darrah, Dyckman, Jones, Seymour, Shaw and H. W. Taylor were absent without leave.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to attach certain townships in the county of Gratiot to the county of Clinton ;

A joint resolution relative to the settlement of a claim of James E. Brown ; and

The House amendments to the Senate bill amendatory to the act to provide for organizing an active militia and for other purposes.

The following communication was announced by the Speaker :

SENATE CHAMBER,  
Detroit, March 3, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit “a bill to provide for the preservation of the laws of this state,” and a “bill to provide for laying out a certain road in the county of Macomb,” which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Also to inform you that the Senate have concurred in the House amendment to the “joint resolution relative to publishing the report of the superintendent of public instruction,” and have ordered the same as amended to be enrolled.

Also to return the “bill to authorize the highway commissioners of Benton township to re-assess certain delinquent non-resident taxes,” and to respectfully inform you that the Senate have non-concurred therein.

Your ob’t serv’t,

JAS. E. PLATT,

*Sec. Senate.*

The Senate bill to provide for laying out a certain road in the county of Macomb, was read twice and referred to the committee on roads and bridges.



The Senate bill to provide for the preservation of the laws of this state, was read twice and referred to the committee on state affairs.

The following message was received from the Senate :

SENATE CHAMBER, }  
Detroit, March 3, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit herewith a bill authorizing any five or more persons to form associations or companies, for the purpose of constructing any line or lines of electric telegraph in the state of Michigan, which the Senate have passed, and respectfully ask the concurrence of the House therein.

Your obedient servant,

JAMES E. PLATT,

*Secretary of the Senate.*

The Senate bill authorizing any five or more persons to form associations or companies for the purpose of constructing any line or lines of electric telegraph in the state of Michigan, was read twice and referred to the committee on state affairs.

The Speaker announced the following communication :

EXECUTIVE OFFICE, }  
Detroit, March 3, 1847. }

*Fellow citizens of the Senate,*

*and House of Representatives:*

My recent election to the office of Senator in Congress for this State for the official term to commence on the fourth day of the present month, of which the proper evidence has been furnished to me, induces me to tender to the Legislature my resignation of the office of Governor of the State of Michigan, and respectfully to solicit their acceptance of the same, to take effect from this day.

Having received at your hands an appointment which will soon call me to the performance of duties connected with the Federal Government, I may be permitted, in signifying my acceptance of the same, to express to you my grateful acknowledgements for this mark of your favor and confidence. While in public life it has been my highest ambition faithfully to perform the trusts committed to my charge, and I receive with heart-felt gratification this renewed evidence of public regard.

I shall assume the duties of the office of a Senator of the United

States with a deep sense of its high responsibilities, and with unfeigned distrust of my own powers and qualifications, yet with a determination diligently to devote myself to the promotion of the interests of our State and of the Union.

Tendering then, my resignation of the Executive office to you, fellow citizens, as the Representatives of the People by whose suffrages it was conferred, I retire from its duties gratefully acknowledging the many unsolicited favors received from the people of Michigan, and with a fervent prayer for their continued happiness and prosperity.

ALPHEUS FELCH.

On motion of Mr. J. D. Pierce,

The communication was laid on the table and ordered to be printed.

Mr. Goodwin offered the following concurrent resolution, which was adopted:

*Resolved*, the Senate concurring herein, That the resignation of the Hon. Alpheus Felch be and the same is hereby accepted.

Mr. Hollister, by unanimous consent, presented the petition of sundry citizens of Jackson county, for an extension of the charter of the Farmers' and Mechanics' Bank of Michigan, which was laid on the table.

The House then took up the question of reconsidering the vote by which the decision of the chair was yesterday reversed, when

Mr. Goodwin asked to be excused from voting on the pending questions, but the House refused to excuse him.

Mr. Noble moved to reconsider the vote by which the House refused to excuse Mr. Goodwin from voting, which motion prevailed, and

The question recurring on the motion to excuse, it was lost.

On motion of Mr. Edmunds, the Speaker was excused from voting on the question of reconsideration.

And the motion to reconsider was lost by the following vote:

YEAS.

Mr. Arzeno,  
Chubb,  
Coates,  
Darrah,  
Edmunds.  
Ferrington,  
Fralick.  
Goodell,  
Goodrich,

Mr. Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Kelsey,  
Knight,  
McFarlan,  
G. W. Moore,

Mr. H. Mower,  
Noble,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Throop,

## NAYS.

Mr. Adam,  
Barker,  
Bell,  
Britain,  
Clark,  
Culver,  
Deming,  
Driggs,  
Faxon,  
Glen,

Mr. Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Kilborn,  
Lomis,  
Makley,  
McGraw,  
Miller,

Mr. D. Pierce,  
Seeley,  
Shook,  
C. H. Taylor,  
Truesdell,  
Turner,  
Upton,  
Van Duser,  
Walker,

25

And the bill to incorporate the Raisin Institute was declared to be passed.

The House then took up the bill to amend an act entitled an act to incorporate the city of Monroe, and

On motion of Mr. Noble,

The following sections were added thereto:

"Sec. That the time for publishing the notice of sale of lands returned for non-payment of taxes, and the time for publishing the notice of sale for delinquent taxes against persons resident or non-resident of said city, shall be four weeks instead of three months as heretofore required.

"Sec. So much of the act entitled an act to incorporate the city of Monroe, approved March 22, 1837, and of the several acts amendatory thereto, as are inconsistent with the provisions of this act are hereby repealed."

The bill was then ordered to be engrossed for a third reading.

The amendment striking out all after the enacting clause, to the bill to amend an act entitled an act to provide for laying out and establishing a state road, and for other purposes, was non-concurred in, and,

On motion of Mr. Goodwin,

The bill was recommitted to the committee on roads and bridges with instructions to revise and correct the same

The amendment, striking out all after the enacting clause, to the bill to authorize the minor heirs of the late Martha Town, deceased, to release their claims to a certain tract of land was nonconcurrent in, and the bill was ordered to be engrossed and read the third time.

The bill to amend chapter one hundred and twelve of the revised statutes of 1846 ;

The bill to provide for the payment of George A. Robinson ;

The bill to provide for the re-assessment of certain taxes of the year 1844, in the township of Burns, in the county of Shiawassee :

The joint resolution relative to furnishing legislative documents to the British Museum ; and

The joint resolution relative to the settlement of the claim of James Kelly, were severally ordered to be engrossed and read the third time.

The bill to amend chapter twenty-one of the revised statutes of 1846, relative to specific state taxes and duties, being under consideration,

Mr. Johnson moved to indefinitely postpone its further consideration, which motion was lost, and the bill was ordered to be engrossed for a third reading.

On motion of Mr. Johnson,

The further consideration of the bill to amend chapter forty-one of the revised statutes of 1846, entitled of taverns and other licensed houses, was indefinitely postponed.

The bill to amend an act entitled an act to incorporate the Pontiac and Genesee Railroad Company, approved May 15, 1846, was read the third time and passed by a two-thirds vote, as follows :

#### YEAS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Britain,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Edmunds,  
Faxon,

Mr. Goodell,  
Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Johnson,  
Kilborn,  
Lomis,  
Makley,

Mr. McFarlan,  
McGraw,  
Miller,  
G. W. Moore,  
H. Mower,  
Price,  
Shook,  
C. H. Taylor,  
Throop,  
Turner,  
Van Duser,  
Walker,

38

#### NAYS.

Mr. Chubb,  
Ferrington,  
Fralick,  
Glen,  
Jennings,

Mr. Kelsey,  
Noble  
D. Pierce,  
J. D. Pierce,  
Renwick,

Mr. Seeley,  
Shaw,  
Upton,  
Speaker,

14

Mr. Goodwin moved that the House adjourn until 7 o'clock, which motion was lost by the following vote:

## YEAS.

Mr. Adam,  
Coates,  
Davison,  
Dyckman,  
Edmunds,  
Fralick,  
Goodell,  
Goodrich,  
Goodwin,

Mr. Goodyear,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Kilborn,  
Noble,

Mr. D. Pierce,  
Price,  
Renwick,  
Shaw,  
Turner,  
Van Duser,  
Walker,  
Speaker,

25

## NAYS.

Mr. Arzeno,  
Barker,  
Bell,  
Britain,  
Chubb,  
Clark,  
Culver,  
Darrah,  
Deming,  
Driggs,

Mr. Faxon,  
Ferrington,  
Glen,  
Harris,  
Haydon,  
Kelsey,  
Lomis,  
Makley,  
McFarlan,

Mr. McGraw,  
Miller,  
G. W. Moore,  
H. Mower,  
J. D. Pierce,  
Seeley,  
Shook,  
C. H. Taylor,  
Upton,

28

On motion of Mr. Chubb,  
The House adjourned.

*Thursday, March 4, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. McClure.

On calling the roll, Messrs. Brooks, Eaton and Kinne were absent on leave, and Messrs. Britain, Chubb, Dyckman, Harris, McFarlan, McGraw, Noble, Renwick, Seymour, Turner and Van Duser, were absent without leave.

The journal of yesterday was read and approved.

Mr. Price presented the petition of citizens of the village of Romeo relative to an amendment of the record of said village. Referred to a select committee consisting of Messrs. Price, Shook and Goodell.

## REPORTS.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to provide for the payment of George A. Robinson ;

A bill to provide for the re-assessment of certain taxes of the year 1844, in the township of Burns, in the county of Shiawassee ;

A bill to amend an act entitled an act to incorporate the city of Monroe ;

A bill to authorize the minor heirs of the late Martha Town, deceased, to release their claims to a certain tract of land ;

A bill to amend chapter one hundred and twelve of the revised statutes of 1846 ;

A bill to amend chapter twenty-one of the revised statutes of 1846, relative to specific state taxes and duties ;

A joint resolution relative to furnishing legislative documents to the British Museum ; and

A joint resolution relative to the settlement of a claim of James Kelley.

Mr. Adam, from the committee on ways and means, reported a bill to extend the time for the collection of certain taxes in the township of Norton, in the county of Ottawa, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Hebard, from the committee on roads and bridges, reported back the bill to amend an act entitled an act to provide for laying out and establishing a state road and for other purposes, amended in accordance with the instructions of the House, and the bill was ordered to be engrossed and read the third time.

Mr. Hebard, from the same committee, reported back without amendment, the Senate bill to provide for laying out a certain road in the county of Macomb, and recommended its passage, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Goodwin, from the committee on state affairs, reported back the Senate bill relative to elections, and reported adverse to its passage, and,

On motion of Mr. Truesdell,

All after the enacting clause was stricken out.

On motion of Mr. J. D. Pierce,

The enacting clause was laid upon the table.

Mr. Goodwin, from the same committee, reported back without amendment the Senate bill authorizing any five or more persons to

form associations or companies for the purposes of constructing any line or lines of electric telegraph in the State of Michigan, and recommended its passage.

The bill was ordered to a third reading, read the third time and passed.

Mr. Goodwin, from the same committee, reported back with amendments, and recommended its passage, the Senate bill to provide for the preservation of the laws of this State, and the bill and amendments were referred to the committee of the whole and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,  
*Detroit, March 3, 1847.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the "joint resolution in relation to the claim of Cyrus Dana, Rodney C. Payne and Job Brookfield, for relief," and to respectfully inform you that the Senate have concurred therein.

Also to return the "joint resolution relative to the amount due the university fund from the county of Lenawee," and to respectfully inform you that the Senate have concurred in the first and second amendments thereto, and have non-concurred in the third amendment.

Also to return the "bill to amend the charter of the Michigan Central Rail Road Company," and to respectfully inform you that the Senate have concurred therein with amendments, in which they respectfully ask the concurrence of the House.

Your obedient servant,

JAMES E. PLATT,

*Sec'y. of Senate.*

The joint resolution in relation to the claim of Cyrus Dana, Rodney C. Payne and Job Brookfield, for relief was ordered to be enrolled.

The House insisted on their amendment to the bill relative to the amount due the university fund from the county of Lenawee, and,

On motion of Mr. Adam,

A committee of conference on the disagreement between the two Houses on the said bill, was ordered to be appointed, on the part of the

House, and the appointment of a like committee was asked for on the part of the Senate.

The Speaker appointed as such committee Messrs. Adam, Walker and Johnson.

The Senate amendment to the bill to amend the charter of the Michigan Central Rail Road Company, being under consideration, and the question being on concurring in the amendment, the following was the vote thereon :

## YEAS.

Mr. Adam,	Mr. Goodrich,	Mr. D. Pierce,
Arzeno,	Goodyear,	Price,
Barker,	Haydon,	Renwick,
Brown,	Hebard,	Seeley,
Chubb,	Hollister,	Shaw,
Darrah,	Kelsey,	Shook,
Deming,	Knight,	C. H. Taylor,
Driggs,	Lomis,	H. W. Taylor,
Dyckman,	Makley,	Throop,
Edmunds,	McGraw,	Truesdell,
Faxon,	Miller,	Upton,
Fralick,	H. Mower,	Walker,
Glen,		

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## NAYS.

Mr. Britain,	Mr. Goodwin,	Mr. G. W. Moore
Clark,	Harrington,	Noble,
Coates,	Jennings,	J. D. Pierce,
Culver,	Johnson,	Pond,
Davison,	Jones,	Turner,
Eaton,	Kilborn,	Van Duser,
Ferrington,	Marantette,	Speaker,
Goodell,	McFarlan,	

23

Two thirds not voting in favor of the amendment, the Speaker declared that it was lost.

Mr. H. W. Taylor appealed from this decision, and the question being "Shall the decision of the chair stand as the judgment of the House?" when

Mr. Turner asked to be excused from voting on the question; but the House refused to excuse him.

The question then recurring on the appeal, the decision of the chair was sustained by yeas and nays as follows :

## YEAS.

Mr. Adam,	Mr. Fralick,	Mr. Marantette,
Arzeno,	Glen,	McFarlan,
Barker,	Goodell,	McGraw,



Britain,  
Brown,  
Chubb,  
Clark,  
Coates,  
Culver,  
Darrnh,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,

Goodrich,  
Goodwin,  
Goodyear,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,

G. W. Moore,  
Noble,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Seeley,  
Shook,  
Throop,  
Truesdell,  
Turner,  
Van Duser,  
Walker,

52

## NAYS.

Mr. H. Mower,

Mr. H. W. Taylor,

2

Mr. H. W. Taylor, by unanimous consent, introduced a bill to establish the Central Bank, which was read twice and referred to the committee on banks and incorporations.

On motion of Mr. Adam,

Leave was granted to withdraw from the files of the House the papers relative to the claim of Peter Morey.

Mr. Driggs offered the following resolution :

*Resolved*, That from and after the adoption of this resolution, the House will hold evening sessions, commencing at seven o'clock ; and no member hereafter shall be permitted to speak more than ten minutes on any one question.

Mr. J. D. Pierce moved to strike out "ten," before "minutes," and insert "five," which motion was lost.

Mr. Goodyear moved that the words "more than once, nor," be inserted after the word "speak."

Pending which,

On motion of Mr. J. D. Pierce,

The resolution was laid on the table.

Mr. Turner, from the committee on state prison, by unanimous consent reported a bill further to provide for the government and discipline of the state prison, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Price, from the select committee to whom was referred the petition of citizens of Romeo, by unanimous consent, reported a bill to

authorize the register of deeds of Macomb county to amend the record of the village plat of Romeo, which was read twice, and

On motion of Mr. H. W. Taylor,

Laid on the table.

On motion of Mr. Van Duser,

The bill to incorporate the Adrian and Coldwater Plank Road Company, was taken from the table.

On motion of Mr. Kilborn,

The joint resolution relative to an unexpended balance of an appropriation on the Detroit and Grand River road, was taken from the table.

On motion of Mr. H. W. Taylor,

The following resolution was taken from the table :

*Resolved*, That the committee on harbors do make a report to the House, on or before Thursday next.

On motion of Mr. H. W. Taylor,

"Thursday" was stricken out of the resolution, and "Tuesday" inserted.

Mr. Britain moved to add thereto, "provided evening sessions are not held by the House;"

Which motion was lost, and the resolution was adopted.

On motion of Mr. Goodwin,

The bill to incorporate the Marshall woolen mill was taken from the table.

On motion of Mr. Kelsey,

The bill to incorporate the Pontiac and Corunna plank road company, and the joint resolution relative to a certain sum of money stolen from the treasurer's office in Shiawassee county, were taken from the table.

On motion of Mr. Makley,

The petition of Ebenezer M. Phelps, for relief, was taken from the table, and referred to the committee on the judiciary, with instructions to inquire into the expediency of passing a law giving the right to flow lands upon payment of the appraised value of said lands.

On motion of Mr. Davison,

The bill to repeal the village charter of the village of Pontiac, was taken from the table.

On motion of Mr. Harris,

The bill to organize certain townships in the counties of Marquette, Houghton, Schoolcraft and Ontonagon, was taken from the table.

The bill to authorize the minor heirs of the late Martha Town, deceased, to release their claims to a certain tract of land ;

The bill to provide for the re-assessment of certain taxes of the year 1844, in the township of Burns, in the county of Shiawassee :

The bill to provide for the payment of George A. Robinson ; and

The joint resolution relative to the settlement of the claim of James Kelley, were severally read the third time and passed.

The bill to amend chapter one hundred and twelve of the revised statutes of 1846, was read the third time and passed by the following vote :

#### YEAS.

Mr. Adam,  
Arzeno,  
Britain,  
Clark,  
Darrah,  
Davison,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Goodrich,  
Goodyear,

Mr. Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Kilborn,  
Lomis,  
Makley,  
McGraw,  
Miller,  
G. W. Moore,  
H. Mower,

Mr. Noble,  
J. D. Pierce,  
Price,  
Renwick.  
Seeley,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Upton,  
Walker, 36

#### NAYS.

Mr. Barker,  
Chubb,  
Coates,  
Culver,  
Deming,  
Driggs,  
Ferrington,

Mr. Fralick,  
Glen,  
Goodwin,  
Harris,  
Haydon,  
Kelsey,

Mr. Knight,  
McFarlan,  
D. Pierce,  
Shaw.  
Van Duser,  
Spencer, 19

On motion of Mr. Truesdell,

The title of the bill was amended so as to read "a bill to regulate costs in cases of flowing lands."

The bill to amend chapter twenty-one of the revised statutes of 1846, relative to specific state taxes, and the joint resolution relative to furnishing legislative documents to the British Museum, were severally read the third time and passed.

The bill amendatory to the act to provide for organizing an active militia and for other purposes was read the third time, when

Mr. Truesdell moved to lay it on the table, which motion was lost.

Mr. Renwick moved to recommit the bill to the committee on militia, with instructions to add a section providing for the repeal of chapter fourteen of an act entitled an act to provide for organizing an active militia and for other purposes.

Mr. Glen moved as a substitute for the instructions, to recommit with instructions to strike out section three of the bill, pending which

On motion of Mr. Truesdell,

The House adjourned.

#### *Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Brooks and Kinne were absent on leave, and Messrs. Bell, Britain, Goodell, Goodrich, Goodwin, Harria, Jones, Marantette, H. Mower, Seymour and Upton were absent without leave.

Mr. Adam, by unanimous consent, introduced a joint resolution in relation to bonds and mortgages given to secure loans from the university and school funds, which was read twice, referred to the committee of the whole and placed on the general order.

The House then took up the bill amendatory to the act to provide for organizing an active militia, and for other purposes, and the question being on the amendment moved by Mr. Glen to the instructions, moved by Mr. Renwick, which amendment was lost, and the question recurring on the original instructions, it prevailed by the following vote:

#### YEAS.

Mr. Barker,  
Britain,  
Brown,  
Chubb,  
Clark,  
Contes,  
Culver,  
Davison,  
Deming,  
Dyckman,

Mr. Goodell,  
Goodwin,  
Goodyear,  
Haydon,  
Hebard,  
Hollister,  
Jennings,  
Kelsey,  
Knight,  
Lomis,

Mr. G. W. Moore,  
H. Mower,  
D. Pierce,  
Pond,  
Price,  
Renwick,  
Seeley,  
Shaw,  
Shaw,  
H. W. Taylor,

Eaton,  
Edmunds,  
Faxon,  
Ferrington,

Makley,  
McFarlan,  
McGraw,  
Miller,

Throop,  
Upton,  
Van Duser,

41

NAYS.

Mr. Adam,  
Arzeno,  
Darrah,  
Fralick,  
Glen,  
Goodrich,

Mr. Harrington,  
Johnson,  
Jones,  
Kilborn,  
Noble,  
O'Malley,

Mr. J. D. Pierce,  
C. H. Taylor,  
Truesdell,  
Turner,  
Walker,  
Speaker, 18

The bill to incorporate the Adrian and Coldwater plank road company was read the third time, and the question being on its passage, it was not passed by the following vote, two-thirds not voting in the affirmative :

YEAS.

Mr. Adam,  
Bell,  
Britain,  
Brown,  
Chubb,  
Clark,  
Coates,  
Culver,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Edmunds,

Mr. Faxon,  
Goodell,  
Goodwin,  
Goodyear,  
Hebard,  
Jennings,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,

Mr. H. Mower,  
D. Pierce,  
Pond,  
Renwick,  
Seeley,  
C. H. Taylor,  
Throop,  
Truesdell,  
Turner,  
Upton,  
Van Duser,  
Walker, 37

NAYS.

Mr. Arzeno,  
Barker,  
Darrah,  
Eaton,  
Ferrington,  
Fralick,  
Glen,

Mr. Goodrich,  
Haydon,  
Johnson,  
McFarlan,  
McGraw,  
G. W. Moore,  
Noble,

Mr. J. D. Pierce,  
Price,  
Shaw,  
Shook,  
H. W. Taylor,  
Speaker, 20

The bill to attach certain townships in the county of Gratiot, to the county of Clinton; and

The joint resolution relative to the settlement of a claim of James E. Brown, were severally read the third time and passed.

On motion of Mr. H. W. Taylor,

The bill to incorporate the Marshall woolen mills, in the county of Calhoun, was laid on the table.

The bill to amend an act entitled an act to incorporate the city of Monroe, was read the third time and passed by a two-thirds vote, as follows :

## YEAS.

Mr. Adam,	Mr. Faxon,	Mr. H. Mower,
Arzeno,	Goodell,	Noble,
Barker,	Goodrich,	J. D. Pierce,
Britain,	Goodyear,	Pond,
Brown,	Haydon,	Price,
Coates,	Harrington,	Shook,
Darrah,	Jennings,	C. H. Taylor,
Davison,	Johnson,	H. W. Taylor,
Deming,	Jones,	Throop,
Driggs,	Kelsey,	Truesdell,
Dyckman,	Knight,	Turner,
Eaton,	Makley,	Walker,
Edmunds,	G. W. Moore,	Speaker, 39

## NAYS.

Mr. Clark,	Mr. Goodwin,	Mr. McGraw,
Culver,	Hebard,	D. Pierce,
Ferrington,	Lomis,	Seeley,
Fralick,	McFarlan,	Shaw,
Glen,		13

The House took up the bill to incorporate the Pontiac and Corunna plank road company, and

On motion of Mr. Kelsey,

The bill was re-committed to the committee on banks and incorporations, with instructions to strike out of section eleven the amendments made in committee of the whole, and concurred in by the House, and also the amendments made by the House, and insert in lieu thereof, after the word "oxen," in the sixth line, and after the word "horses," in the eighth line, the word "eighteen;" and after the word "horse," and after the word "oxen," in the 9th line, the word "ten."

On motion of Mr. D. Pierce,

The joint resolution relative to a certain sum of money stolen from the treasurer's office in the county of Shiawassee, was laid on the table.

The House took up the joint resolution relative to an unexpended balance of an appropriation on the Detroit and Grand River road ; when

Mr. D. Pierce moved to lay the same on the table, which motion was lost.

Mr. Haydon moved to strike out all after the resolving clause, which motion did not prevail.

On motion of Mr. Edmunds,

The joint resolution was recommitted to the committee on public lands, with instructions to amend the same so as to make the appropriation payable in land only.

The House took up the bill to organize certain townships in the counties of Marquette, Houghton, Schoolcraft and Ontonagon, when

Mr. Truesdell moved to lay it on the table, which motion was lost, and

On motion of Mr. Adam,

The bill was recommitted to the committee on the organization of townships and counties.

The House then took up the bill to repeal the village charter of the village of Pontiac, when

Mr. Goodrich moved to recommit the same to the committee on banks and incorporations, with instructions to strike out the fifth section, and insert a section providing that the act shall not take effect unless two thirds of the voters of said village vote in its favor at the next charter election.

Mr. Britain moved to amend the instructions by adding thereto the words "nor until all the debts of the corporation be paid," which motion was lost.

And the question being on the motion to recommit with instructions, it prevailed.

Mr. Johnson, from the committee on banks and incorporations, reported back the bill to incorporate the Pontiac and Corunna Plank Road Company, amended in accordance with the instructions of the House, and it was read the third time and passed by a two-thirds vote, as follows :

#### YEAS.

Mr. Adam,  
Britain,  
Brown,  
Chubb,  
Clark,

Mr. Goodrich,  
Goodyear,  
Hebard,  
Harrington,  
Hollister,

Mr. G. W. Moore,  
H. Mower,  
D. Pierce,  
Pond,  
Renwick,

Coates,  
Davison,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Goodell,

Jennings,  
Johnson,  
Kelsey,  
Kilborn,  
Knight,  
Makley,  
McGraw,

Seeley,  
Shook,  
C. H. Taylor,  
Throop,  
Truesdell,  
Walker,

35

## NAYS.

Mr. Arzeno,  
Barker,  
Driggs,  
Ferrington,  
Goodwin,

Mr. Haydon,  
Jones,  
McFarlan,  
Noble,  
J. D. Pierce,

Mr. Price,  
Shaw,  
H. W. Taylor,  
Speaker.

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The following communication was received from the Senate :

SENATE CHAMBER,  
*Detroit, March 4, 1847.* }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit a “bill to provide for the adjustment of the mortgage held by the State upon the Detroit and Pontiac Rail Road,” and “a bill to amend an act entitled ‘an act to authorize the sale of the Southern Rail Road and to incorporate the Michigan Southern Rail Road Company,’” which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Also to return the concurrent resolution in regard to the resignation of the Governor, which the Senate have adopted with amendments, in which they respectfully ask the concurrence of the House.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The Senate bill to provide for an adjustment of the mortgage held by the State upon the Detroit and Pontiac Rail Road, was read twice and referred to the committee on ways and means.

The Senate bill to amend an act entitled an act to authorize the sale of the Southern Rail Road, and to incorporate the Michigan Southern Rail Road Company, was read twice and referred to the committee on banks and incorporations.

The Senate amendment to the concurrent resolution in regard to the resignation of the Governor, was concurred in.

On motion of Mr. Truesdell,



The use of the Hall of the House of Representatives was tendered to the Hon. Samuel Dexter for the purpose of lecturing on temperance to-morrow evening.

On motion of Mr. H. W. Taylor,

The bill to authorize the register of deeds of Macomb County to amend the record of the village plat of the village of Romeo, was taken from the table, and it was ordered to be engrossed for a third reading.

The House then resolved itself into committee of the whole on the general order, Mr. Johnson in the chair.

After some time, the committee rose and by their chairman reported back with amendments, in which the concurrence of the House was asked,

A bill to vacate a portion of the village plat of the village of Utica, in the county of Macomb ;

A bill to incorporate the Marshall and Bellevue Plank Road Company ;

A bill to amend chapter fifty-five of the revised statutes of 1846 ;

A bill to incorporate the Detroit and Birmingham Plank Road Company ; and

A bill to repeal an act entitled an act to incorporate the Detroit and Grand River Plank Road Company, approved March 12, 1844, and the amendatory acts thereto.

Mr. Goodwin moved that the House adjourn until seven o'clock, which motion was lost, and

On motion of Mr. Truesdell,

The House adjourned.

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*Friday, March 5, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer.

On calling the roll, Messrs. Brooks and Kinne were absent on leave, and Messrs. Bell, Goodwin, Harris and H. Mower were absent without leave

On motion of Mr. Haydon,

The rule requiring the journals of the preceding day to be read, was suspended for the remainder of the session.

Mr. Chubb stated that there was an error in the journal of yesterday's proceedings; and

On motion of Mr. Johnson,

The subject was referred to a select committee of the House, with instructions to inquire into and report upon the same.

The Speaker appointed as such committee, Messrs. Johnson, Adam and Chubb.

#### PETITIONS PRESENTED.

By Mr. Johnson. Of Berry & Rice, and other citizens of Jackson county, for an extension of the charter of the Farmers' and Mechanics' Bank of Michigan. Laid on the table.

By Mr. D. Pierce. Of N. H. Wing, D. C. Whitwood, and other citizens of Washtenaw county, for the same. Laid on the table.

By Mr. Britain. Of citizens of Berrien county, for the same. Laid on the table.

#### REPORTS.

Mr. Adam, from the committee on ways and means, reported a bill making appropriations for stationery, for members of the present legislature, which was read twice; when

Mr. D. Pierce moved to refer it to the committee of the whole, and place it on the general order; which motion was lost.

Mr. H. W. Taylor moved to lay it on the table; which motion did not prevail.

Mr. H. W. Taylor moved to re-commit the bill to the committee on ways and means, which motion was lost.

Mr. D. Pierce moved to strike out the word "five," before "dollars," in the third section, and insert "three," which motion was lost, by the following vote:

#### YEAS.

Mr. Barker,  
Brown,  
Chubb,  
Culver,  
Davison,  
Driggs,  
Dykman,  
Edmunds,

Mr. Faxon,  
Ferrington,  
Fralick,  
Goodwin,  
Goodyear,  
Haydon,  
Harrington,  
Hollister,

Mr. Kelsey,  
Knight,  
D. Pierce,  
Renwick,  
H. W. Taylor,  
Truesdell,  
Van Duzer,

**NAYS.**

Mr. Adam,	Mr. Johnson,	Mr. J. D. Pierce,
Arzeno,	Jones,	Pond,
Britain,	Kilborn,	Price,
Clark,	Lomis,	Seeley,
Coates,	Makley,	Shaw,
Darrah,	Marantette,	Shook,
Deming,	McFarlan,	C. H. Taylor,
Eaton,	McGraw,	Throop,
Glen,	Miller,	Turner,
Goodell,	G. W. Moore,	Upton,
Hebard,	Noble,	Walker,
Jennings,	O'Malley,	Speaker, 36

Mr. Adam moved a suspension of the twenty-first rule, which motion prevailed by a two-thirds vote, as follows :

**YEAS.**

Mr. Adam,	Mr. Fralick,	Mr. G. W. Moore,
Arzeno,	Glen,	Noble,
Britain,	Goodell,	O'Malley,
Brown,	Goodwin,	J. D. Pierce,
Clark,	Goodyear,	Pond,
Contes,	Hebard,	Price,
Culver,	Harrington,	Renwick,
Darrah,	Kilborn,	Seeley,
Deming,	Lomis,	Shook,
Driggs,	Makley,	C. H. Taylor,
Dyckman,	Marantette,	Turner,
Eaton,	McFarlan,	Upton,
Edmunds,	McGraw,	Van Duser,
Faxon,	Miller,	Walker,
Ferrington,		43

**NAYS.**

Mr. Barker,	Mr. Johnson,	Mr. Shaw,
Chubb,	Jones,	H. W. Taylor,
Davison,	Kelsey,	Throop,
Haydon,	Knight,	Truesdell,
Hollister,	D. Pierce,	Speaker,
Jennings,		16

The bill was then ordered to be engrossed, and read the third time.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to amend an act entitled an act to provide for laying out and establishing a state road and for other purposes, from the village of Palmer, in the county of St. Clair, to the village of Riley, in said county, approved March 24, 1845 ;

A bill to authorize the register of deeds of Macomb county to amend the record of the village plat of the village of Romeo, and

A bill making appropriations for stationery for members of the present legislature.

Mr. Gler., from the committee on public lands, reported back the joint resolution relative to an unexpended balance of an appropriation on the Detroit and Grand River road, amended in accordance with the instructions.

Mr. Noble, from the committee on the judiciary, reported back the petition of Ebenezer M. Miller for relief, and reported that the House having already passed a bill covering the case, no further action was necessary, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Glen, from the committee on the militia, reported back the Senate bill amendatory to the act to provide for organizing an active militia, and for other purposes, amended in accordance with instructions.

Mr. Johnson, from the committee on banks and incorporations, reported back the bill to repeal the village charter of the village of Pontiac, and reported that the amendment contained in the instructions to the committee was inconsistent with the bill, and asked to be discharged from its further consideration, which report was accepted, and the committee discharged.

On motion of Mr. Johnson,

The bill to provide for the draining of swamps, marshes and other low lands, was taken from the table.

On motion of Mr. Miller,

*Resolved*, That the select committee on appropriations of internal improvement lands, be instructed to report back this day, the bill to provide for the improvement of the Detroit and Saginaw turnpike between Flint and Saginaw.

On motion of Mr. Kelsey,

The joint resolution relative to a certain sum of money stolen from the treasurer's office in Shiawassee county, was taken from the table.

Mr. Kelsey moved that the joint resolution be recommitted to the committee on state affairs with instructions to strike out the amendment made thereto in the House.

On motion of Mr. Goodwin,

The instructions were amended by adding thereto a provision that the county of Shiawassee assign to the state of Michigan all the rights of the county against said treasurer for the money stolen, and furnish evidence that the bond is lost.

The motion to recommit with instructions, as amended, then prevailed, and the joint resolution was recommitted.

Mr. Eaton moved a reconsideration of the vote by which the bill to incorporate the Adrian and Coldwater Plank Road Company was lost on its passage, which motion prevailed by the following vote :

YEAS.

Mr. Adam,	Mr. Goodwin,	Mr. D. Pierce,
Britain,	Goodyear,	J. D. Pierce,
Brown,	Harris,	Pond,
Chubb,	Haydon,	Seeley,
Clark,	Hebard,	Seymour,
Cones,	Hollister,	Shook,
Culver,	Jennings,	C. H. Taylor,
Davison,	Kelsey,	H. W. Taylor,
Deming,	Kilborn,	Throop,
Driggs,	Knight,	Truesdell,
Eaton,	Lomis,	Turner,
Edmunds,	Makley,	Upton,
Faxon,	McGraw,	Van Duser,
Fralick,	Miller,	Walker,
Goodell,	G. W. Moore,	Speaker,
Goodrich,	Noble,	

47

NAYS.

Mr. Arzeno,	Mr. Dyckman,	Mr. Harrington,
Birker,	Ferrington,	Johnson,
Darrah,	Glen,	McFarlan,

9

Mr. Noble moved to lay the bill on the table, which motion was lost, and the question recurring on the passage of the bill, it was passed by a two-thirds vote, as follows :

YEAS.

Mr. Adam,	Mr. Goodwin,	Mr. McGraw,
Britain,	Goodyear,	Miller,
Brown,	Harris,	D. Pierce,
Chubb,	Hebard,	Pond,
Clark,	Hollister,	Seeley,
Cones,	Jennings,	Shook,
Culver,	Jones,	C. H. Taylor,
Davison,	Kelsey,	Throop,

Deming,  
Driggs,  
Eaton,  
Edmunds,  
Faxon,  
Goodell,

Kilborn,  
Knight,  
Lomis,  
Makley,  
Marantette,

Truesdell,  
Turner,  
Upton,  
Van Duser,  
Walker,

40

## NAYS.

Mr. Arzeno,  
Barker,  
Darrah,  
Dyckman,  
Ferrington,  
Glen,

Mr Goodrich,  
Haydon,  
Harrington,  
Johnson,  
McFarlan,  
G. W. Moore,

Mr. Noble,  
O'Malley,  
Price,  
Seymour,  
H. W. Taylor,  
Speaker, 18

On motion of Mr. Britain,

*Resolved*, That the committee on ways and means be instructed to inquire what further legislation is necessary to secure the treasury of the state against frauds in the several counties, and that said committee be permitted to report by bill or otherwise.

On motion of Mr. Throop,

The bill to authorize the board of auditors of Wayne county to build a jail, was taken from the table.

Mr. Goodrich, from the select committee on land appropriations, by unanimous consent, reported back the various bills and papers referred to that committee; and asked to be discharged from their further consideration; which report was accepted, the committee discharged, and

On motion of Mr. Goodwin,

The bills and papers were laid on the table.

On motion of Mr. H. W. Taylor,

The bill to amend the revised statutes of 1846, in relation to assignment of dower, was taken from the table, and referred to the committee of the whole and placed on the general order.

On motion of Mr. Miller,

The bill to provide for the improvement of the Detroit and Saginaw turnpike between Flint and Saginaw, was taken from the table.

The bill to amend an act entitled an act to provide for laying out and establishing a state road and for other purposes, from the village of Palmer, in the county of St. Clair, to the village of Riley, in said county, approved March 24, 1845;

The bill to authorize the register of deeds of Macomb county to amend the record of the village plat of the village of Romeo; and

The bill making appropriations for stationery for members of the present legislature, were severally read the third time and passed.

UNFINISHED BUSINESS.

The House then took up the bill to authorize the board of auditors of Wayne county to build a jail,

And the question being on the amendment offered by Mr. Throop, it was adopted, and the bill was ordered to be engrossed, and read the third time.

On motion of Mr. Edmunds,

The bill to provide for the draining of swamps, marshes and other low lands, was recommitted to the committee on state affairs, with general instructions.

The bill to repeal the village charter of the village of Pontiac was taken up, when

Mr. Goodrich moved to lay the same on the table, which motion was lost, and

On motion of Mr. D. Pierce,

The further consideration of the bill was indefinitely postponed.

On motion of Mr. D. Pierce,

The joint resolution relative to an unexpended balance of an appropriation on the Detroit and Grand River road, was laid on the table.

On motion of Mr. Kelsey,

The bill to provide for the improvement of the Detroit and Saginaw turnpike between Flint and Saginaw, was laid on the table.

The amendment made in committee of the whole, striking out all after the enacting clause of the bill to repeal an act entitled an act to incorporate the Detroit and Grand River Plank Road Company," approved March 12, 1844, and the amendatory acts thereto, was concurred in.

On motion of Mr. Throop,

The following was inserted after the enacting clause :

"Strike out of section nineteen the word "timber" in the second line ; also, the words "any articles whatsoever" in the third line of said section, also, the word "materials" in the fifth line, and insert "earth, gravel and stone," so that it shall read as follows :

"Sec. 19. The president and directors of said company may agree

with the owner or owners of any land for earth, gravel and stone, which may be wanted in the construction or repair of said road, or any of its works, for the purchase or occupation of the same, and if such earth, gravel and stone, not previously taken, &c.

The bill was then ordered to be engrossed and read the third time.

The amendments made in committee of the whole to the bill to incorporate the Detroit and Birmingham plank road company were concurred in.

Mr. Price moved to amend the first line of section four, by striking out the word "on" after "road" and inserting "along the line of and parallel with."

Mr. Goodrich moved as a substitute for the amendment, to insert 'not less than fifteen feet wide' after 'road' in the third line of the same section, which substitute was rejected.

Mr. Adair moved as a substitute for the amendment, to insert after 'Oakland' in the second line of section four, the following proviso: "Provided that the consent of the highway commissioners of the several townships through which said road runs, or of the taxable inhabitants along said road shall be first obtained," which substitute was adopted, and the amendment as amended was concurred in.

Mr. Price moved to insert "not less than fifteen feet wide" after the word "materials" in the fourth line of section four, which motion was lost.

Mr. Noble offered the following to stand as an additional section:

"Sec. —. The stockholders of said company shall be personally liable for all the debts of said company, after the corporate property is exhausted."

Mr. Britain offered the following as a substitute for the amendment:

Sec. —. All the stockholders of said company except the directors and other officers thereof, shall be deemed to be special partners, and the directors and other officers thereof shall be deemed to be general partners, and said special and general partners, shall be subject to the provisions of section two, chapter thirty-three of the revised statutes of 1846, provided that the liability of said general partners, as such, shall only extend to the debts contracted during their continuance in office.

Pending which,

On motion of Mr. Driggs, the House adjourned.



*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Brooks and Kinne were absent on leave, and Messrs. Adam, Arzeno, Bell, Davison, Deming, Harris, Haydon, Lomis, Noble, O'Malley, Seymour, Turner and Walker were absent] without leave.

On motion of Mr. H. W. Taylor,

The rules were suspended to enable

Mr. H. Mower to introduce a bill to establish the Kalamazoo county Bank, which was read twice and referred to the committee on banks and incorporations.

The House then resumed the consideration of the bill to incorporate the Detroit and Birmingham Plank Road Company, and the question being on the substitute section offered this morning by Mr. Britain, it was withdrawn by the mover, and the question recurring on the additional section offered this morning by Mr. Noble, in the following words:

"Sec. The stockholders of said company shall be personally liable for all the debts of said company, after the corporate property is exhausted."

Which amendment prevailed by yeas and nays as follows:

## YEAS.

Mr. Adam,  
Arzeno,  
Britain,  
Brown,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Dyckman,  
Eaton,  
Edmunds,  
Ferrington,  
Fralick,

Mr. Glen,  
Goodell,  
Hebard,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
Miller,

Mr. G. W. Moore,  
H. Mower,  
Noble,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,  
Van Duser,  
Walker,  
Speaker, 45

## NAYS.

Mr. Barker,  
Chubb,  
Driggs,  
Faxon,

Mr. Goodwin,  
Goodyear,  
Harris,  
McGraw,

Mr. D. Pierce,  
Seeley,  
H. W. Taylor,  
Truesdell, 12

Mr. C. H. Taylor offered the following substitute for section thirteen:

"Sec. 13. The legislature may at any time alter, amend or repeal this act."

Which amendment was adopted by the following vote:

**YEAS.**

Mr. Adam,	Mr. Ferrington,	Mr. Miller,
Arzeno	Fralick,	H. Mower,
Barker,	Glen,	Noble,
Britain,	Goodell,	O'Malley,
Brown,	Goodwin,	Price,
Coates,	Goodyear,	Renwick,
Culver,	Hollister,	Shaw,
Darrah,	Jennings,	Shook,
Deming,	Johnson,	C. H. Taylor,
Driggs,	Jones,	Truesdell,
Dyckman,	Kilborn,	Van Duser,
Eaton,	Marantette,	Walker,
Edmunds,	McFarlan,	Speaker,
Faxon,		

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**NAYS.**

Mr. Chubb,	Mr. Kelsey,	Mr. D. Pierce,
Clark,	Lomis,	Pond,
Davison,	Makley,	Seeley,
Harris,	McGraw,	H. W. Taylor,
Hebard,		

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Mr. H. W. Taylor moved to strike out section ten, which motion did not prevail.

On motion of Mr. Goodwin,

The following section was added to the bill:

"Sec. Said company shall pay to the state annually, in December, a tax of        mills on a dollar on the capital stock paid in, and on all loans for the construction of said road, which shall be in lieu of all other taxation of said company."

On motion of Mr. Coates, the blank in the section was filled with the word five.

On motion of Mr. Kelsey,

The fifth section was amended by striking out of the third and fourth lines, the words "sled, sleigh," and inserting after the word "mile," in the fifth line, "and for all sleds or sleighs drawn by horses, mules or oxen, one-half of the tolls on vehicles and carriages."

On motion of Mr. Goodwin,

The word "two," before "cents," was stricken out of the second line of section five, and "one and a half" inserted.

The bill was then ordered to be engrossed for a third reading.

The House then took up the bill to incorporate the Marshall and Bellevue Plank Road Company, and the amendments made in committee of the whole, were concurred in.

On motion of Mr. Noble,

The following section was added to the bill :

"Sec. — The stockholders of said company shall be personally liable for all the debts of said company, after the corporate property is exhausted."

Mr. Noble moved to add the following section to the bill :

"Sec. — The legislature may at any time alter, amend or repeal this act."

Which amendment was adopted by the following vote :

YEAS.

Mr. Adam,  
Arzeno,  
Britain,  
Brown,  
Clark,  
Coates,  
Culver,  
Darrah,  
Deming,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,

Mr. Ferrington,  
Fralick,  
Glen,  
Goodrich,  
Goodyear,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kilborn,  
Knight,  
Lomis,  
Makley,

Mr. Marantette,  
McFarlan,  
McGraw,  
Miller,  
Noble,  
O'Malley,  
Pond,  
Price,  
Shook,  
C. H. Taylor,  
Truesdell,  
Walker,  
Speaker,

39

NAYS.

Mr. Barker,  
Goodwin,  
Harris,

Mr. Kelsey,  
D. Pierce,  
Seeley,

Mr. H. W. Taylor,  
Throop,

8

The bill was then ordered to be engrossed and read the third time.

The amendments made in committee of the whole, striking out all after the enacting clause of the bill to amend chapter fifty-five of the revised statutes of 1846, was concurred in by the following vote :

YEAS.

Mr. Adam,  
Arzeno,  
Culver,

Mr. Goodrich,  
Goodyear,  
Harris,

Mr. McGraw,  
Miller,  
G. W. Moore,

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Darrah,  
Deming,  
Dyckman,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,  
Glen,  
Goodell,

Haydon,  
Hollister,  
Jennings,  
Johnson,  
Kelsey,  
Knight,  
Lomis,  
Makley,  
McFarlan,  
NAYS.

H. Mower,  
D. Pierce,  
Pond,  
Price,  
Seeley,  
C. H. Taylor,  
H. W. Taylor,  
Throop.

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Mr. Britain,  
Clark,  
Coates,  
Edmunds,  
Goodwin,

Mr. Jones,  
Kilborn,  
Marantette,  
Noble,  
O'Malley,

Mr. Shook,  
Truesdell,  
Walker,  
Speaker,

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And the further consideration of the enacting clause was indefinitely postponed.

The amendments made in committee of the whole to the bill to vacate a portion of the village plat of the village of Utica, in the county of Macomb, was concurred in, and

On motion of Mr. Haydon,

The bill was laid on the table.

The House then took up the bill amendatory to the act to provide for organizing an active militia, and for other purposes, and the question being on its passage, it was passed.

The Speaker announced the following communication :

SENATE CHAMBER. }  
Detroit, March 5, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to respectfully inform you that the Senate have concurred in the House amendments to the "bill to restore certain forfeited rights to A. Hamilton Smith and Dempster B. Wood," and have ordered the bill as amended to enrolled.

Also, to transmit a "bill to authorize the township of Bertrand in the county of Berrien to raise a sum of money for building a bridge," which the Senate have passed, and in which they respectfully ask the concurrence of the House.

Also to return the "bill to amend chapter 58 of the revised statutes of 1846, relative to the distribution of the income of the school fund," and to respectfully inform you that the Senate have concurred therein.

Also to return the "bill to amend the charter of the Michigan Central Railroad Company," and to respectfully inform you that the Senate insist upon their amendments to said bill, that they have appointed Senators Green, Thurber and Robinson a committee of conference on the part of the Senate upon the disagreement between the two Houses upon said bill, and they respectfully ask the appointment of a like committee on the part of the House.

Also to respectfully inform you that the Senate do adhere their non-concurrence in the third House amendment to the "joint resolution relative to the amount due the university fund from the county of Lenawee."

Your ob't serv't,

JAS. E. PLATT,

*Sec. Senate.*

The bill to amend chapter fifty eight of the revised statutes of 1846, relative to the distribution of the income of the school fund was ordered to be enrolled.

The Senate bill to authorize the township of Bertrand in the county of Berrien to raise a sum of money for building a bridge, was read twice and referred to the committee on roads and bridges.

On motion of Mr. Britain,

It was ordered that a committee of conference be appointed on the part of the House on the disagreement between the two houses on the bill to amend the charter of the Michigan Central Rail Road Company, and the Speaker appointed as such committee, Messrs. Britain, Adam and Eaton.

On motion of Mr. Adam,

The House insisted on their amendments to the bill relative to the amount due the university fund from the county of Lenawee, and it was ordered that the appointment of a committee of conference be respectfully asked on the part of the Senate, on the disagreement between the two Houses on said bill.

Mr. Knight, by unanimous consent, presented a report of the inspectors of state prison, which was, on his motion, laid on the table and three hundred extra copies ordered to be printed.

Mr. Goodwin, from the committee on state affairs, reported back the joint resolution relative to a certain sum of money stolen from

the treasurer's office in Shiawassee county, amended in accordance with the instructions, and the joint resolution was passed.

Mr. Goodwin, from the same committee, reported back the bill to provide for the draining of swamps, marshes and other low lands with a substitute therefor, and the bill and substitute were referred to the committee of the whole, placed on the general order, and the substitute ordered to be printed.

Mr. Price from the committee on engrossment and enrollment, reported that the joint resolution in relation to the claim of Cyrus Dana, Rodney C. Payne, and Job Brookfield, was correctly enrolled, and was this day presented to the Governor for his approval.

Mr. Price, from the same committee, also reported as correctly engrossed,

A bill to repeal an act entitled an act to incorporate the Detroit and Grand River Plank Road Company, approved March 12, 1844, and amendatory acts thereto ;

A bill to incorporate the Marshall and Bellevue Plank Road Company ; and

A bill to authorize the board of auditors of Wayne county to build a jail.

The House resolved itself into committee of the whole on the general order, Mr. Britain in the chair.

After some time spent thereon, the committee rose and by their chairman reported back to the House without amendment, a bill for the relief of Henry Willis; and also reported back with amendments in which the concurrence of the House was asked, a bill to incorporate the White Pigeon Academy.

The committee also reported that they had had under consideration joint resolutions relative to the public lands, and the patronage of the general government, on which they had made some progress, and asked and obtained leave to sit again.

The bill for the relief of Henry Willis was ordered to be engrossed and read the third time.

The amendments to the bill to incorporate the White Pigeon Academy were concurred in, when

Mr. H. W. Taylor moved to strike out the fourteenth section, which motion was lost,

And the House amendments to the bill were ordered to be engrossed, and the bill ordered to a third reading.

On motion of Mr. Knight,

The House adjourned.

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*Saturday, March 6, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Mr. Kinne was absent on leave and Messrs. Chubb, Clark, Goodrich G. W. Moore, Noble and Turner were absent without leave.

Mr. Deming asked and obtained leave of absence for Mr. Turner, for an indefinite period.

Mr. Eaton, for Mr. G. W. Moore, for the day.

Mr. Lomis, for Mr. Clark, for an indefinite period.

#### REPORTS.

Mr. Hebard, from the committee on roads and bridges, reported back without amendment, the Senate bill to authorize the township of Bertrand, in the county of Berrien, to raise a sum of money for building a bridge, and recommended its passage; which report was accepted, the committee discharged from its further consideration, and the bill referred to the committee of the whole, and placed on the general order.

Mr. Frulick, from the committee on claims, submitted the following report, which was accepted, and the committee discharged from the further consideration of the subject:

The committee on claims, to whom was referred the petition of Ebenezer M. Miller, a pardoned convict, from the state penitentiary, praying for relief, and certain other papers relating thereto, have had the same under consideration, and after examining all the papers referred to them, relating to the guilt or innocence of the said Miller, and the propriety and justice of paying him for the services rendered the state while confined in the penitentiary, are of opinion that there may be sufficient evidence for the Executive of the state to grant a pardon, for the reason, that from the evidence and papers produced

in his behalf, there *does* seem a rational probability that he was innocent of the crime of which he was convicted. But the committee do not think the evidence produced or referred to them, is sufficient to set the dangerous precedent of granting the relief asked for in the petition.

The committee for the reasons above stated, have instructed me to report adverse to granting the prayer of the petition, and to the passage of the bill for his relief, and respectfully ask to be discharged from the further consideration of the subject.

On motion of Mr. Goodwin,

The bill for the relief of Ebenenezzer M. Miller was laid on the table.

Mr. Fralick, from the same committee, reported a joint resolution relative to the settlement of a claim of Edward D. Ellis and William H. H. Briggs, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Harris, from the committee on the organization of townships and counties, reported back without amendment, the bill to organize certain townships in the counties of Marquette, Houghton, Schoolcraft and Ontonagon, and,

On motion of Mr. Goodwin,

The bill was referred to the committee of the whole and placed on the general order.

Mr. Price, from the committee on engrossment and enrollment, reported that the bill to amend chapter fifty-eight of the revised statutes of 1846, relative to the distribution of the income of the school fund was correctly enrolled, and was this day presented to the governor for his approval.

Mr. Price, from the same committee, reported as correctly engrossed,

A bill to incorporate the Detroit and Birmingham plank road company ;

• A bill for the relief of Henry Willis ; and

The House amendments to the Senate bill to incorporate the White Pigeon Academy.

The Speaker announced the following communication :



EXECUTIVE OFFICE,  
*Detroit, March 4, 1847.*

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State "joint resolution in relation to the claim of Cyrus Dana, Rodney C. Paine and Job Brookfield, for relief."

WM. L. GREENLY.

Mr. Britain moved to take from the table the bill to improve the navigation of the St. Joseph river, which motion prevailed by the following vote:

YEAS.

Mr. Arzeno,  
 Barker,  
 Bell,  
 Britain,  
 Brown,  
 Coates,  
 Culver,  
 Darrah,  
 Davison,  
 Driggs,  
 Dyckman,  
 Edmunds,

Mr. Faxon,  
 Glen,  
 Goodwin,  
 Goodyear,  
 Harris,  
 Haydon,  
 Johnson,  
 Kelsey,  
 Kilborn,  
 Marantette,  
 Miller,  
 H. Mower,  
 NAYS.

Mr. O'Malley,  
 Pond,  
 Renwick,  
 Seymour,  
 Shaw,  
 Shook,  
 C. H. Taylor,  
 H. W. Taylor,  
 Truesdell,  
 Upton,  
 Van Duser,  
 Speaker, 36

Mr. Adam,  
 Brooks,  
 Deming,  
 Eaton,  
 Ferrington,  
 Fralick,  
 Goodell,  
 Hebard,

Mr. Harrington,  
 Jennings,  
 Jones,  
 Knight,  
 Lomis,  
 Makley,  
 McFarlan,

Mr. McGraw,  
 Noble,  
 D. Pierce,  
 Price,  
 Seeley,  
 Throop,  
 Walker,

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On motion of Mr. Miller,

The bill to provide for the improvement of the Detroit and Saginaw turnpike, between Flint and Saginaw, was taken from the table.

On motion of Mr. Haydon,

The bill making appropriations for improving the navigation of the Paw Paw river, in the county of Van Buren, was taken from the table.

On motion of Mr. Coates,

The bill granting appropriations on a public road leading from Allegan to the New Holland colony in Ottawa county, was taken from the table.

On motion of Mr. Kilborn,

The joint resolution relative to an unexpended balance of an appropriation on the Detroit and Grand River road, was taken from the table.

On motion of Mr. Edmunds,

All the bills and joint resolutions on the table were taken therefrom and placed among the unfinished business.

Mr. McFarlan moved an adjournment, which motion did not prevail.

Mr. Adam moved that the hours at which the house should meet hereafter should be at nine o'clock in the morning, and two o'clock in the afternoon.

Mr. Noble moved to amend the motion by adding thereto, "and at seven o'clock in the evening," which motion was lost.

Mr. Edmunds moved to amend the motion so as to meet in the morning at half past eight o'clock, which motion was lost.

And the question recurring on the original motion of Mr. Adam, it prevailed.

The bill for the relief of Henry Willis, was read the third time and passed.

The bill to incorporate the Detroit and Birmingham Plank Road Company was read the third time and passed by a two thirds vote, as follows :

#### YEAS.

Mr. Adam,  
Bell,  
Britain,  
Brown,  
Coates,  
Culver,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Goodell,

Mr. Goodyear,  
Harris,  
Hebard,  
Hollister,  
Jennings,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McGraw,  
Miller,  
H. Mower,

Mr. O'Malley,  
D. Pierce,  
Renwick,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
Truesdell,  
Upton,  
Van Duser,  
Walker,  
Speaker,

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#### NAYS.

Mr. Arzeno,  
Barker,

Mr. Goodwin,  
Haydon,

Mr. McFarlan,  
Noble,

Darrah,  
Ferrington,  
Fralick,

Harrington,  
Johnson,  
Jones,

J. D. Pierce,  
H. W. Taylor, 14

The bill to authorize the board of auditors of Wayne county to build a jail was read the third time, when

Mr. Eaton moved to lay it on the table, which motion was lost, and

On motion of Mr. Haydon,

The further consideration of the bill was indefinitely postponed.

The bill to repeal an act entitled an act to incorporate the Detroit and Grand River Plank Road Company, approved March 12, 1844, and the amendatory acts thereto, was read the third time, and

On motion of Mr C. H. Taylor,

Recommitted to the committee on banks and incorporations with instructions to revise and correct it.

The bill to incorporate the Marshall and Bellevue plank road company, was read a third time and passed by a two-thirds vote, as follows:

YEAS.

Mr. Adam,  
Bell,  
Britain,  
Brooks,  
Brown,  
Coates,  
Culver,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Goodell,  
Goodrich,

Mr. Goodwin,  
Goodyear,  
Hebard,  
Hollister,  
Jennings,  
Johnson,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,  
Miller,

Mr. O'Malley,  
D. Pierce,  
Pond,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,  
Truesdell,  
Upton,  
Van Duser,  
Walker,  
Speaker, 42

NAYS.

Mr. Arzeno,  
Barker,  
Darrah,  
Edmunds,  
Faxon,

Mr. Ferrington,  
Fralick,  
Glen,  
Harris,  
Haydon,

Mr. Harrington,  
Noble,  
Price,  
Renwick,  
H. W. Taylor, 15

UNFINISHED BUSINESS.

The House took up the bill requiring the Auditor General of the state to cancel certain securities executed to him under the General Banking law, and

On motion of Mr. Adam,

Its further consideration was indefinitely postponed,

The bill for the relief of purchasers of university and primary school lands, was

On motion of Mr. Adam,

Referred to the committee of the whole and placed on the general order.

The bill to incorporate the Marshall Woolen Mills in the county of Calhoun, was passed by a two thirds vote, as follows:

#### YEAS.

Mr. Adam,	Mr. Goodell,	Mr. O'Malley,	
Barker,	Goodrich,	J. D. Pierce,	
Bell,	Goodwin,	Renwick,	
Britain,	Goodyear,	Seeley,	
Brooks,	Haydon,	Seymour,	
Brown,	Hebard,	Shaw,	
Coutes,	Hollister,	Shook,	
Culver,	Jennings,	C. H. Taylor,	
Davison,	Kelsey,	Throop,	
Deming,	Kilborn,	Truesdell,	
Driggs,	Marantette,	Upton,	
Dyckman,	McGraw,	Van Duser,	
Eaton,	Miller,	Walker,	
Faxon,	H. Mower,		41

#### NAYS.

Mr. Arzeno,	Mr. Harrington,	Mr. Noble,	
Edmunds,	Johnson,	D. Pierce,	
Ferrington,	Lomis,	Price,	
Fralick,	Makley,	H. W. Taylor,	
Glen,	McFarlan,	Speaker,	
Harris,			16

The House then took up the bill to repeal the charter of the Kalamazoo Mutual Insurance Company, and

On motion of Mr. Edmunds,

Its further consideration was indefinitely postponed.

The bill to amend chapter one hundred and six of the revised statutes of 1846, being before the House,

On motion of Mr. Adam,

Its further consideration was indefinitely postponed.

The bill for the protection of wives and families against the effects of injudicious endorsing or signing as security, being before the House,

On motion of Mr. D. Pierce,

Its further consideration was indefinitely postponed.

The House then took up the Senate bill relative to elections, and all after the enacting clause having been heretofore stricken out,

On motion of Mr. Goodwin,

Its further consideration was indefinitely postponed.

The Senate joint resolutions relative to the general post office regulations, being before the House,

On motion of Mr. Adam,

Its further consideration was indefinitely postponed.

The bill to authorize township clerks to record deeds and mortgages, being before the House,

On motion of Mr. Adam,

Its further consideration was indefinitely postponed.

On motion of Mr. Goodwin,

The bill to amend the revised statutes of 1846, concerning the assessment and collection of taxes, was referred to the committee of the whole, and placed on the general order.

The House then took up the joint resolution to amend the constitution, (House bill No. 67,) and

On motion of Mr. Adam,

Its further consideration was indefinitely postponed.

The bill to amend chapter twenty, of the revised statutes of 1846, relative to the return and sale of lands delinquent for taxes, and for other purposes, being before the House,

On motion of Mr. H. W. Taylor,

Its further consideration was indefinitely postponed.

The House took up the bill to amend an act entitled an act to provide for organizing an active militia, and for other purposes, approved May 18, 1846, and

On motion of Mr. Glen,

Its further consideration was indefinitely postponed.

The House then took up the bill to consolidate the several acts relative to the village of Jackson, and for other purposes, and,

On motion of Mr. Goodrich,

Its further consideration was indefinitely postponed.

The bill to incorporate the Kearsley Branch Rail Road Company being before the House,

On motion of Mr. Adam,

Its further consideration was indefinitely postponed.

The bill to incorporate the Chippewa Portage Company being before the House, and the question being on reconsidering the vote by which the bill was lost on its passage,

Mr. Seymour moved that its further consideration be indefinitely postponed, which motion was lost by the following vote :

#### YEAS.

Mr. Bell,  
Brown,  
Chubb,  
Culver,  
Fralick,  
Goodyear,

Mr. Harris,  
Jennings,  
McFarlan,  
H. Mower,  
Noble,

Mr. D. Pierce,  
Price,  
Renwick.  
Seymour,  
H. W. Taylor,

16

#### NAYS.

Mr. Adam,  
Barker,  
Britain,  
Brooks,  
Coates,  
Davison,  
Deming,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Goodell,

Mr. Goodrich,  
Goodwin,  
Hebard,  
Harrington,  
Hollister,  
Johnson,  
Jones,  
Kilborn,  
Lomis,  
Makley,  
McGraw,

Mr. O'Malley,  
J. D. Pierce,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,  
Truesdell,  
Upton,  
Walker,  
Speaker,

34

The question then being on the motion to reconsider the vote by which the bill was lost, it prevailed, when

Mr. Adam moved the previous question, which was sustained, and the main question was ordered to be now put.

The main question, being on the passage of the bill, was then put and lost, two-thirds not voting in the affirmative, as follows :

#### YEAS.

Mr. Adam,  
Barker,  
Britain,  
Brooks,  
Brown,  
Chubb,  
Davison,

Mr. Goodell,  
Goodrich,  
Goodwin,  
Goodyear,  
Hebard,  
Harrington,  
Hollister,

Mr. McGraw  
O'Malley,  
J. D. Pierce,  
Pond,  
Seeley,  
Shaw,  
Shook,

Deming, Eaton, Edmunds, Faxon,	Johnson, Kilborn, Lomis, Marantette, NA YS.	C. H. Taylor, Throop, Truesdell, Walker,	33
Mr. Arzeno, Bell, Coates, Culver, Glen, Harris, Haydon, Jennings,	Mr. Jones, Knight, Makley, McFarlan, Miller, H. Mower, Noble,	Mr. D. Pierce, Price, Renwick, Seymour, H. W. Taylor, Van Duser, Speaker,	22

Mr. Lomis moved an adjournment, but the House refused to adjourn.

The House then took up the bill providing for the election of a Senator in congress, and,

On motion of Mr. Edmunds,

Its further consideration was indefinitely postponed.

The bill for the relief of Ebenezer M. Miller was taken up, and,

On motion of Mr. Johnson,

Its further consideration was indefinitely postponed.

On motion of Mr. Throop,

The clerk was directed to return the papers relative to the pardon of Ebenezer M. Miller to the Governor.

The bill to amend section fifty of chapter fourteen of the revised statutes being before the House,

On motion of Mr. Noble,

Its further consideration was indefinitely postponed.

The joint resolution relative to an unexpended balance of appropriation on the Detroit and Grand River road being before the House,

Mr. Haydon moved to lay it on the table, which motion was lost, and

On motion of Mr. D. Pierce, its further consideration was indefinitely postponed.

The bill to vacate a portion of the village plat of the village of Utica, in the county of Macomb, being before the House,

On motion of Mr. Chubb, its further consideration was indefinitely postponed.

The bill to provide for the construction of a ship canal around the Falls of Ste. Marie was taken up, and

On motion of Mr. Goodwin, its further consideration was indefinitely postponed.

The House then took up the bill to provide for laying out and establishing several state roads, when

Mr. Chubb moved its indefinite postponement, which motion was lost by yeas and nays, as follows:

## YEAS.

Mr. Adam,  
Arzeno,  
Chubb,

Mr. Kilborn,  
Knight,  
Lomis,

Mr. D. Pierce,  
H. W. Taylor,

8

## NAYS.

Mr. Barker,  
Bell,  
Britain,  
Brooks,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,  
Glen,

Mr. Goodrich,  
Goodwin,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Makley,  
Marantette,  
McFarlan,  
McGraw,

Mr. Miller,  
H. Mower,  
Noble,  
J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,  
Truesdell,  
Van Duser,  
Walker,  
Speaker,

46

On motion of Mr. Britain, the fourth section of the bill was stricken out.

On motion of Mr. Britain, the third section of the bill was amended by striking out the word "three" before "miles" in the second line, and inserting "two."

On motion of Mr. Adam, the word "non-resident" was inserted before "highway," in the first line of section three.

On motion of Mr. Fralick, the following proviso was added to section three :

"Provided the state shall in no way become liable to pay any sum on account of the laying out and construction of the roads mentioned in this act."

On motion of Mr. Britain, the word "two" was stricken out of the fourth line of section three, and "four" inserted.



The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Haydon,  
The House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Clark, Kinne, G. W. Moore, and Turner were absent on leave, and Messrs. Barker, Britain, Brooks, Chubb, Dyckman, Ferrington, Fralick, Goodell, Goodwin, Goodyear, Haydon, Hollister, Johnson, Jones, Marantette, McFarlan, H. Mower, Noble, O'Malley, Seymour, C. H. Taylor, and Van Duser, were absent without leave.

The House then took up, in the order of unfinished business, the bill for the relief of the township of Manlius, in Allegan county, and

On motion of Mr. J. D. Pierce,

Its further consideration was indefinitely postponed.

The joint resolutions proposing amendments to the constitution, (House bill No. 118) were taken up, and

On motion of Mr. Edmunds,

Referred to the committee of the whole and placed on the general order.

The bill to provide for the construction of a bridge across the St-Joseph river on the United States road leading from Detroit to Chicago, being before the House,

On motion of Mr. Adam,

Its further consideration was indefinitely postponed.

The House took up the bill relative to an appropriation on the Detroit and Grand River road, and

On motion of Mr. Adam,

Its further consideration was indefinitely postponed.

The bill making an appropriation for the improvement of the Battle Creek and Grand Rapids state road, being before the House,

On motion of Mr. D. Pierce,

Its further consideration was indefinitely postponed.

The bill to provide for the preservation of the Clinton and Kalamazoo canal, was taken up, and

On motion of Mr. Throop,

Its further consideration was indefinitely postponed.

The House took up the bill to improve the Pontiac and Grand River road, and

On motion of Mr. J. D. Pierce,

Its further consideration was indefinitely postponed.

The bill making appropriations for improving the navigation of the Kalamazoo river, being before the House,

On motion of Mr. Adam,

Its further consideration was indefinitely postponed.

The bill to make an appropriation of internal improvement lands, to aid in the construction of the Corunna and Northampton turnpike, and to amend the act entitled an act to incorporate the Corunna and Northampton Turnpike Company, approved May 4, 1846, was taken up, and

On motion of Mr. Renwick,

Its further consideration was indefinitely postponed.

The bill making an appropriation for the improvement of the road leading from Eaton Rapids, in the county of Eaton, to Saranac, in the county of Ionia, was taken up, and

On motion of Mr. Adam,

Its further consideration was indefinitely postponed.

The House took up the bill for the improvement of the Detroit and Grand River road, and

On motion of Mr. Adam,

Its further consideration was indefinitely postponed.

The bill to provide for the improvement of the Detroit and Saginaw turnpike, between Flint and Saginaw, being before the House, it was amended,

On motion of Mr. Miller,

By striking out all after the enacting clause, and inserting as follows:

“The board of supervisors of Saginaw county are hereby authorized in their discretion to expend a sum not exceeding two thousand dollars, of any money in the treasury of said county, not otherwise

appropriated, in improving the Detroit and Saginaw turnpike, within the county of Saginaw."

"Sec. 2. This act shall take effect and be in force from and after its passage."

Mr. Goodwin moved to add the following proviso to section one, which motion was lost :

"Provided, a majority of the people of said county, vote for said expenditure, at their next township meetings."

The bill was then ordered to be engrossed and read the third time.

The House took up the bill making appropriations for improving the navigation of the Paw Paw river, in the county of Van Buren, and

On motion of Mr. Kilborn,

Its further consideration was indefinitely postponed.

The bill granting appropriations on a public road leading from Allegan to the New Holland Colony, being before the House,

Mr. Coates moved to lay it on the table, which motion was lost, and

On motion of Mr. Adam,

Its further consideration was indefinitely postponed.

The bill to provide for laying out certain roads in the Upper Peninsula of Michigan, was taken up, when

Mr. Goodrich moved that its further consideration be indefinitely postponed.

Pending which,

Mr. Darrah moved a call of the House ; and

On motion of Mr. Renwick,

The motion for a call was laid on the table.

The question then recurring on the motion to indefinitely postpone, it prevailed by the following vote :

YEAS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Brown,  
Coates,  
Culver,  
Davison,  
Dyckman,  
Eaton,  
Edmunds,  
Goodell,

Mr. Goodrich,  
Goodyear,  
Harris,  
Haydon,  
Harrington,  
Hollister,  
Jennings,  
Kilborn,  
Lomis,  
Makley,  
McGraw,  
Miller,

Mr. D. Pierce,  
Price,  
Renwick,  
Shook,  
C. H. Taylor,  
Throop,  
Truesdell,  
Upton,  
Van Duser,  
Walker,  
Speaker.

## NAYS.

Mr. Britain,  
Brooks,  
Darrah,  
Deming,  
Driggs,  
Faxon,

Mr. Glen,  
Goodwin,  
Hebard,  
Johnson,  
Jones,  
Kelsey,

Mr. H. Mower,  
Pond,  
Seeley,  
Seymour,  
Shaw,  
H. W. Taylor, 18

The House then took up the bill making an appropriation for a plank road around the Falls of Ste. Marie, in Chippewa county, when

Mr. Seymour moved to lay it on the table, which motion did not prevail, and

On motion of Mr. J. D. Pierce,

Its further consideration was indefinitely postponed.

The bill for the improvement of the Detroit and Grand River road was taken up, and

On motion of Mr. Adam,

Its further consideration was indefinitely postponed.

The House then took up the bill to improve the navigation of the St. Joseph river, and

On motion of Mr. Edmunds,

It was referred to the committee of the whole and placed on the general order.

On motion of Mr. Hollister,

The report of the joint committee on the state prison, and the communication from the inspectors of the prison, presented yesterday by Mr. Knight, were taken from the table and referred to the committee on state affairs.

The House then resolved itself into committee of the whole on the general order, Mr. Johnson in the chair.

After some time, the committee rose and by their chairman reported back to the House without amendment,

A bill to amend an act entitled an act relative to free schools in the city of Detroit, approved February 17, 1842 ;

A bill for the relief of Priscilla Eddy, widow of Samuel Eddy, deceased ;

A bill to incorporate the Leoni Theological institute ; and

A bill relative to certain transcribed records of the county of Livingston ;

The committee also reported back with amendments, in which the concurrence of the House was asked,

A bill to revive the poor laws repealed by the revised statutes ;

A bill to continue in force an act to authorize the appointment of commissioners to take acknowledgements of deeds and instruments of writing under seal out of the state ;

A bill to amend section fifty, of chapter fourteen, of the revised statutes of 1846 ;

A bill to amend section fifty, of chapter one hundred and eight of the revised statutes of 1846 ;

A bill to amend an act entitled an act to authorize William H. Cross and Seth C. Hanchett to erect a dam across the St. Joseph river in the county of St. Joseph, approved February 17, 1846, and a joint resolution relative to the transmission of documents to Alexander Vattemare of Paris.

The amendments to the bill to amend an act entitled an act to authorize William H. Cross and Seth C. Hanchett to erect a dam across the St. Joseph river in the county of St. Joseph, approved February 17, 1846, were concurred in and ordered to be engrossed, and the bill ordered to a third reading.

The amendment striking out all after the enacting clause, to the bill to amend section fifty of chapter one hundred and eight of the revised statutes of 1846, was concurred in and the further consideration of the enacting clause was indefinitely postponed.

The amendment to the bill to amend section fifty of chapter fourteen of the revised statutes of 1846, was concurred in, and the bill ordered to be engrossed and read the third time.

The amendments to the bill to continue in force an act to authorize the appointment of commissioners to take the acknowledgment of deeds and instruments of writing under seal out of the state, were concurred in, ordered to be engrossed, and the bill ordered to a third reading.

The amendments to the bill to revive the poor laws repealed by the revised statutes were concurred in, and the bill ordered to be engrossed and read the third time.

The amendment to the joint resolution relative to the transmission of documents to Alexander Vattemare of Paris, was concurred in, and

the joint resolution ordered to be engrossed and read the third time

The bill to incorporate the Leoni Theological Institute;

The bill for the relief of Priscilla Eddy, widow of Samuel Eddy, deceased, and

The bill to amend an act entitled an act relative to free schools in the city of Detroit, approved February 17, 1842, were severally ordered to a third reading.

The bill relative to certain transcribed records of the county of Livingston, was ordered to be engrossed and read the third time.

The House resolved itself into committee of the whole on the joint resolutions relative to the public lands and the patronage of the general government, Mr. Britain in the chair.

After some time the committee rose and by their chairman reported the joint resolutions back with sundry amendments, in which the concurrence of the House was asked.

On motion of Mr. Noble,

A call of the House was had, and Messrs. Bell, Brooks, Brown, Chubb, Culver, Dyckman, Eaton, Ferrington, Fralick, Harris, Harrington, Jones, Kelsey, Kilborn, Marantette, McFarlan, Miller, O'Malley, D. Pierce, Shaw, Upton and Van Duser were absent without leave.

Mr. Throop asked and obtained leave of absence for Mr. Fralick for the day.

On motion of Mr. H. Mower,

The sergeant-at-arms was despatched for the absentees.

Several of the absentees being at the bar of the House.

On motion of Mr. Adam,

They were granted leave to tender their excuses; pending which,

On motion of Mr. J. D. Pierce,

All further proceedings under the call were suspended.

The amendments made in committee of the whole to the joint resolutions relative to the public lands and the patronage of the general government, were concurred in, in gross, and the joint resolutions ordered to be engrossed for a third reading.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to provide for laying out and establishing several state roads;

A bill relative to certain transcribed records of the county of Livingston ;

A bill to amend section fifty of chapter fourteen of the revised statutes of 1846 ; and

A joint resolution relative to the transmission of documents to Alexander Vattemare, of Paris.

Mr. Adam moved that the House adjourn until seven o'clock, which motion was lost.

Mr. Driggs moved that the House adjourn, which motion prevailed by the following vote :

YEAS.

Mr. Arzeno,  
Barker,  
Brooks,  
Brown,  
Chubb,  
Coates,  
Davison,  
Driggs,  
Faxon,  
Glen,

Mr. Harris,  
Haydon,  
Hebard,  
Kelsey,  
Knight,  
Lomis,  
Makley,  
McGraw,  
Miller,  
H. Mower,

Mr. Pond,  
Seeley,  
Seymour,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Upton,  
Speaker,

29

NAYS.

Mr. Adam,  
Bell,  
Britain,  
Culver,  
Darrah,  
Deming,  
Eaton,  
Edmunds,  
Goodell,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Kilborn,

Mr. Noble,  
D. Pierce,  
Price,  
Renwick,  
Shaw,  
Shook,  
Van Duser,  
Walker,

25

So the House adjourned.

*Monday, March 8, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, [Messrs. Kinne and Turner were absent on leave, and Messrs. Chubb, Culver, Davison, Edmunds, Ferrington, Marantette, McFarlan, Noble, D. Pierce, Pond and Truesdell were absent without leave.

Mr. Adam presented the claim of L. Fasquelle for translating the Governor's message into French. Referred to the committee on claims.

Mr. Glen, from the committee on public lands, reported back the memorial for the relief of James Taylor and Alvin N. Hart, relative to certain school lands, and reported adverse to any legislative action thereon, which report was accepted, and the committee discharged from the further consideration of the subject.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Detroit, March 6, 1847. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State,

“An act to amend chapter fifty-eight of the revised statutes of eighteen hundred and forty-six, relative to the distribution of the income of the school fund.”

WM. L. GREENLY.

Mr. H. Mower, by unanimous consent, introduced a bill to amend an act entitled an act to authorize the highway commissioners of the township of Kalamazoo to vacate certain streets, which was read twice, referred to the committee of the whole and placed on the general order.

The bill to amend section fifty of chapter fourteen of the revised statutes of 1846, was read the third time, and,

On motion of Mr. Haydon, laid on the table.

The bill to provide for laying out and establishing several state roads ;

The bill to amend an act entitled an act relative to free schools in the city of Detroit, approved February 17, 1842 ;

The bill relative to certain transcribed records in the county of Livingston ;

The bill for the relief of Priscilla Eddy, widow of Samuel Eddy, deceased ; and

The joint resolution relative to the transmission of documents to Alexander Vattemare, of Paris,

Were severally read the third time and passed.



The bill to incorporate the Leoni Theological Institute, was read the third time and passed by a two-thirds vote, as follows :

YEAS.

Mr. Adam,  
Bell,  
Britain,  
Brooks,  
Brown,  
Chubb,  
Coates,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Faxon,

Mr. Goodrich,  
Goodyear,  
Haydon,  
Hebard,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
McGraw,

Mr. G. W. Moore,  
H. Mower,  
Pond,  
Renwick,  
Seeley,  
Seymour,  
Shaw,  
C. H. Taylor,  
Truesdell,  
Upton,  
Van Duser,  
Walker,  
Speaker,

41

NAYS.

Mr. Arzeno,  
Barker,  
Edmunds,  
Glen,  
Goodell,  
Goodwin,

Mr. Harris,  
Harrington,  
Noble,  
O'Malley,  
D. Pierce,

Mr. J. D. Pierce,  
Price,  
Shook,  
H. W. Taylor,  
Throop,

10

The bill to incorporate the White Pigeon Academy, was read the third time and passed by a two-thirds vote, as follows :

YEAS.

Mr. Adam,  
Barker,  
Bell,  
Britain,  
Brooks,  
Brown,  
Chubb,  
Clark,  
Cones,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Glen,

Mr. Goodell,  
Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Hebard,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
McGraw,  
G. W. Moore,

Mr. H. Mower,  
Noble,  
O'Malley,  
D. Pierce,  
J. D. Pierce  
Pond,  
Price,  
Renwick,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,  
Truesdell,  
Upton,  
Van Duser,  
Walker,

54

NAYS.

Mr. Arzeno,  
Harrington,

Mr. H. W. Taylor, Mr. Speaker,

4

Mr. Price, from the committee on engrossment and enrollment reported as correctly engrossed,

A bill to revive the poor laws repealed by the revised statutes ;

A bill to provide for the improvement of the Detroit and Saginaw turnpike between Flint and Saginaw ;

The House amendments to the Senate bill to amend an act entitled an act to authorize William H. Cross and Seth C. Hanchett to erect a dam across the St. Joseph river, in the county of St. Joseph, approved February 17, 1846 ; and

The House amendments to the Senate bill to continue in force an act to authorize the appointment of commissioners to take acknowledgment of deeds and instruments of writing under seal, out of the state.

The House then resolved itself into committee of the whole, on the general order, Mr. Johnson in the chair.

After some time the committee rose, and by their chairman reported back to the House without amendment,

A joint resolution in relation to bonds and mortgages given to secure loans from the university and school funds ; and

A bill to provide for the payment of damages for the right of way through the public lands of this state, which have been purchased, but not fully paid for.

The committee also reported back with amendments, in which the concurrence of the House was asked,

A bill to amend an act entitled an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846 ;

A bill to incorporate the village of Hillsdale ;

A bill appropriating certain highway taxes for the improvement of a road in the counties of Van Buren and Berrien ;

A bill to provide for the preservation of the laws of this state ;

A bill to provide for laying out a certain road in the county of Macomb ;

A bill proposing certain amendments to the constitution ; and

A bill to organize certain townships and for other purposes.

The amendments to the bill to amend an act entitled an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846, were concurred in, when

Mr. Britain moved to strike out of the seventh line of section twenty-one, the words "except by consent of parties," which motion was lost by the following vote :

YEAS.

Mr. Britain, Chubb, Edmunds, Goodwin, Goodyear, Haydon,	Mr. Jennings, Kelsey, Kilborn, Knight, Noble, D. Pierce,	Mr. Renwick, C. H. Taylor H. W. Taylor, Van Duser, Speaker,	17
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NAYS.

Mr. Adam, Barker, Brooks, Clark, Coates, Culver, Darrah, Deming, Eaton,	Mr. Faxon, Ferrington, Goodell, Hebard, Lomis, Makley, McGraw, Miller, G. W. Moore,	Mr. H. Mower, J. D. Pierce, Pond, Price, Seeley, Seymour, Shook, Upton, Walker,	27
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The bill was then ordered to be engrossed and read the third time.

The House then took up the bill proposing certain amendments to the constitution, and the question being on concurring in the amendment mode thereto in committee of the whole, striking out of the third proposed amendment, the words "not exceeding thirty days, and one dollar a day thereafter for a period of twenty days," when

On motion of Mr. Adam,

The words proposed to be stricken out were amended by striking out therefrom "thirty" before "days," and inserting "forty."

The question then recurring on concurring in the amendment as amended, it was lost by yeas and nays, as follows :

YEAS.

Mr. Chubb, Culver, Faxon, Goodyear, Haydon, Hollister, Jennings,	Mr. Jones, Kelsey, Kilborn, Knight, Lomis, Makley, McGraw,	Mr. D. Pierce, Price, Renwick, C. H. Taylor, H. W. Taylor, Truesdell,	20
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NAYS.

Mr. Adam, Arzeno, Barker,	Mr. Dyckman, Eaton, Edmunds,	Mr. H. Mower, Noble, Pond,
---------------------------------	------------------------------------	----------------------------------

Britain,  
Brooks,  
Brown,  
Clark,  
Coates,  
Darrah,  
Denning,  
Driggs,

Ferrington,  
Glen,  
Goodell,  
Goodwin,  
Hebard,  
Miller,  
G. W. Moore,

Seeley,  
Shaw,  
Shook,  
Upton,  
Van Duser,  
Walker,  
Speaker,

31

Mr. H. W. Taylor, moved to add to fifth proposed amendment, the following :

“ There shall be only regular biennial sessions of the legislature, which shall commence its sittings on the first Tuesday in January next after the general election thereof. But the Governor may convene the legislature as often as any sudden emergency or extraordinary necessity shall in his opinion render such a call expedient ; but, in his proclamation convening the same, the Governor shall specify the matters to be submitted to the legislature, constituting such emergency or necessity ; and the legislature at such extraordinary session, shall act upon no other matters, except such as shall be thus specified in the Governor’s proclamation.”

Which amendment was adopted by yeas and nays as follows :

#### YEAS.

Mr. Barker,  
Brooks,  
Brown,  
Clark,  
Coates,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Faxon,  
Ferrington,

Mr. Glen,  
Goodyear,  
Haydon,  
Hebard,  
Hollister,  
Jennings,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
McGraw,  
H. Mower,  
Noble,

Mr. D. Pierce,  
J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
H. W. Taylor,  
Truesdell,  
Van Duser,  
Walker,  
Speaker,

38

#### NAYS.

Mr. Adam,  
Arzeno,  
Britain,  
Chubb,  
Edmunds,

Mr. Goodrich,  
Goodwin,  
Jones,  
Knight,  
Miller,

Mr. G. W. Moore,  
Pond,  
C. H. Taylor,  
Upton,

14

On motion of Mr. J. D. Pierce,

The word "annually" was stricken out of the fifth and sixth lines of the fifth proposed amendment, and "bienially" inserted.

Mr. H. W. Taylor moved to amend the first subdivision of the fifth proposed amendment, so as to make it read as follows:

"The state shall be divided at each new apportionment into senatorial districts, entitled to one Senator each, which shall contain an equal representative population as near as may be; and provisions shall be made by law for electing and classifying the Senators."

Which amendment prevailed by the following vote:

#### YEAS.

Mr. Barker,  
Britain,  
Brooks,  
Chubb,  
Clark,  
Coates,  
Culver,  
Edmunds,  
Ferrington,

Mr. Glen,  
Goodell,  
Goodyear,  
Haydon,  
Jennings,  
Kelsey,  
Lomis,  
McGraw,

Mr. H. Mower,  
D. Pierce,  
Price,  
Renwick,  
Shook,  
H. W. Taylor,  
Truesdell,  
Walker,

25

#### NAYS.

Mr. Adam,  
Arzeno,  
Brown,  
Darruh,  
Deming,  
Driggs,  
Eaton,  
Goodrich,

Mr. Goodwin,  
Hebard,  
Hollister,  
Johnson,  
Kilborn,  
Knight,  
Makley,  
G. W. Moore,

Mr. Noble,  
J. D. Pierce,  
Pond,  
Seeley,  
Shaw,  
C. H. Taylor,  
Van Duser,  
Speaker. 24

Mr. C. H. Taylor moved to amend the second proposed amendment by striking out of the first line the words "lieutenant governor, secretary of state, state treasurer, auditor general," which motion was lost.

Mr. Goodrich offered the following substitute for the third proposed amendment:

"The members of the legislature shall receive for their services a sum not exceeding three dollars a day for each day's attendance at any one session, not exceeding forty days, and one dollar a day thereafter, during the remainder of the session, and they shall also be allowed a sum not exceeding three dollars for each twenty miles travel, going to and returning from the seat of government."

Mr. Chubb moved to amend the amendment by striking out "three"

before "dollars" and inserting "two," which motion did not prevail.

Mr. Seeley moved to strike out "forty" before "days" and insert "fifty," which motion was lost.

On motion of Mr. C. H. Taylor,

The words "one dollar," were stricken out and "two dollars" inserted.

The question then recurring on the amendment as amended, it was rejected by the following vote :

#### YEAS.

Mr. Britain,	Mr. Harris,	Mr. Pond,	
Brown,	Johnson,	Seeley,	
Darrah,	Kilborn,	Shaw,	
Glen,	Lomis,	C. H. Taylor,	
Goodell,	Makley,	Van Duser,	
Goodrich,	Miller,	Walker,	
Goodyear,	J. D. Pierce,	Speaker,	21

#### NAYS.

Mr. Adam,	Mr. Driggs,	Mr. Jennings,	
Arzeno,	Eaton,	G. W. Moore,	
Barker,	Edmunds,	H. Mower,	
Brooks,	Faxon,	Noble,	
Chubb,	Ferrington,	D. Pierce,	
Clark,	Goodwin,	Price,	
Contes,	Haydon,	Renwick,	
Culver,	Hebard,	Shook,	
Deming,	Hollister,	Truesdell,	27

Mr. Driggs offered the following as a substitute for the third proposed amendment :

"Amend section eighteen of article four of the constitution, so that it will read as follows :

"The members of the legislature shall receive for their services three dollars a day, and the Speaker of the House five dollars a day, for each day's attendance, at any one session, not exceeding thirty days, and one dollar a day thereafter, for a period of thirty days; and they shall be allowed mileage, at the rate of ten cents for each mile, by the most usual travelled route, in going to and returning from the seat of government."

Mr. Truesdell moved to amend the substitute by striking out "three," before "dollars," and inserting "two," which motion was lost; and,

The question recurring on the adoption of the substitute, it was rejected.

On motion of Mr. Johnson,  
The House adjourned.

—  
*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called, and Messrs. Kinne and Turner were absent on leave, and Messrs. Adam, Bell, Britain, Coates, Darrah, Davison, Eaton, Edmunds, Fralick, Goodwin, Harris, Jones, Makley, McFarlan, M'Graw, Renwick, Seymour, H. W. Taylor, Throop, Truesdell, Upton and Walker, were absent without leave.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed.

A bill to amend an act entitled an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846, and

Joint resolutions relative to the public lands and the patronage of the general government.

The House then resumed the consideration of the bill proposing certain amendments to the constitution, when,

Mr. C. H. Taylor moved a reconsideration of the vote by which the amendment offered by Mr. Driggs was this morning rejected, which motion was lost by the following vote :

YEAS.

Mr. Driggs,	Mr. Harrington,	Mr. Seeley,	
Eaton,	Kelsey,	Shaw,	
Ferrington,	Marantette,	C. H. Taylor,	
Fralick,	G. W. Moore,	Speaker,	
Goodrich,	Pond,		14

NAYS.

Mr. Adam,	Mr. Faxon,	Mr. Knight,	
Barker,	Glen,	Lomis,	
Brooks,	Goodyear,	Miller,	
Brown,	Harris,	H. Mower,	
Chubb,	Haydon,	Noble,	
Clark,	Hebard,	O'Malley,	
Culver,	Hollister,	D. Pierce,	
Darrah,	Jennings,	Price,	
Deming,	Johnson,	Shook,	
Dyckmen,	Kilborn,	Truesdell,	30

Mr. Harris moved that the further consideration of the bill be indefinitely postponed, which motion was lost by the following vote :

## YEAS.

Mr. Brown,  
Culver,  
Darrah,  
Driggs,  
Glen,  
Goodrich,  
Goodwin,  
Goodyear,  
Harris,

Mr. Hebard,  
Harrington,  
Johnson,  
Knight,  
Miller,  
G. W. Moore,  
Noble,  
O'Malley,

Mr. J. D. Pierce,  
Pond,  
Seeley,  
Shaw,  
C. H. Taylor,  
Upton,  
Van Duser,  
Walker,

25

## NAYS.

Mr. Adam,  
Barker,  
Britain,  
Brooks,  
Chubb,  
Clark,  
Deming,  
Dyckman,  
Eaton,  
Faxon,

Mr. Ferrington,  
Fralick,  
Goodell,  
Haydon,  
Hollister,  
Jennings,  
Kelsey,  
Kilborn,  
Lomis,

Mr. Makley,  
Marantette,  
D. Pierce,  
Price,  
Renwick,  
Shook,  
H. W. Taylor,  
Truesdell,  
Speaker,

26

Mr. Driggs moved to strike out the third proposed amendment, pending which, on motion of Mr. Johnson the bill was laid on the table.

The amendments made in committee of the whole, to the bill to organize certain townships and for other purposes ;

To the bill to incorporate the village of Hillsdale ;

To the bill appropriating certain highway taxes for the improvement of a road in the counties of Van Buren and Berrien, were severally concurred in, and the bills ordered to be engrossed and read the third time.

The amendments to the bill to provide for the preservation of the laws of this state, were concurred in, the amendments ordered to be engrossed, and the bill ordered to a third reading.

The House then took up the joint resolution in relation to bonds and mortgages given to secure losses from the university and school funds, when,

On motion of Mr. Johnson,

It was referred to the committee on state affairs with instructions to strike out that part of the resolution authorizing property or evidences of debt to be received in liquidation of these demands.



The bill to provide for laying out a certain road in the county of Macomb, being before the House,

Mr. Fralick moved to amend the second section by inserting "and constructing," after "laying out," and by adding at the end of the section, "or the county of Wayne," which motion was lost, and the bill was ordered to a third reading.

The House took up the bill to provide for the payment of damages for the right of way through the public lands of this state, which have been purchased but not fully paid for, and

On motion of Mr. Adam,

The eighth line of the first section was amended by inserting "on account of principal unpaid," after the word "damages."

On motion of Mr. Goodwin,

The seventh line of section one was amended by inserting after the word "assessed," the following, "with interest on such assessments from respective times when the said companies came into possession of said roads or from the date of such agreement as is before specified."

The bill was ordered to be engrossed and read the third time.

Mr. Miller, by unanimous consent, introduced a bill to extend the time for the collection of certain taxes in the township of Saginaw in the county of Saginaw, which was read twice, and ordered to be engrossed for a third reading.

On motion of Mr. D. Pierce,

The twenty-first rule was suspended, to enable the bill to be read a third time to-day,

Mr. C. H. Taylor, by unanimous consent, introduced a bill to authorize the administrator of Nehemiah O. Sargent to grant the right of way for a canal through lands on Grand River, which was read twice, referred to the committee of the whole and placed on the general order.

On motion of Mr. H. Mower,

The committee of the whole were discharged from the consideration of the bill to amend an act entitled an act to authorize the highway commissioners of the township of Kalamazoo to vacate certain streets, and the bill was ordered to be engrossed for a third reading.

On motion of Mr. Adam,

The committee of the whole were discharged from the consideration of the bill to extend the time for the collection of certain taxes in the township of Norton in the county of Ottawa, and the bill was ordered to be engrossed and read the third time.

Mr. Price from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill appropriating certain highway taxes for the improvement of a road in the counties of Van Buren and Berrien;

A bill to extend the time for the collection of certain taxes in the township of Norton in the county of Ottawa; and

A bill to extend the time for the collection of certain taxes in the township of Saginaw in the county of Saginaw.

The joint resolutions relative to the public lands and the patronage of the general government, was read the third time, and

On motion of Mr. C. H. Taylor,

Recommitted to the committee on federal relations, with instructions to revise and correct the same.

The bill to amend an act entitled an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846, was read the third time, and

On motion of Mr. Britain,

Recommitted to the committee on the judiciary, with general instructions.

The bill to continue in force an act to authorize the appointment of commissioners to take the acknowledgment of deeds and instruments of writing under seal out of the state;

The bill to amend an act entitled an act to authorize William H. Cross and Seth C. Hanchett to erect a dam across the St. Joseph river, approved February 17, 1846;

The bill to provide for the improvement of the Detroit and Saginaw turnpike between Flint and Saginaw;

The bill to extend the time for the collection of certain taxes in the county of Ottawa; and

The bill to extend the time for the collection of certain taxes in the township of Saginaw,

Were severally read the third time and passed.

The bill to revive the poor laws repealed by the revised statutes, was read the third time, when

Mr. Haydon moved to recommit the bill to the committee on state affairs, with general instructions, which motion was lost by yeas and nays as follows:

## YEAS.

Mr. Adam,  
Britain,  
Darrah,  
Edmunds,  
Faxon,  
Goodwin,  
Goodyear,

Mr. Harris,  
Haydon,  
Hollister,  
Johnson,  
Miller,  
Noble,  
D. Pierce,

Mr. J. D. Pierce,  
Seymour,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell,  
Speaker,

20

## NAYS.

Mr. Brown,  
Chubb,  
Clark,  
Coates,  
Culver,  
Deming,  
Driggs,  
Eaton,  
Ferrington,  
Fralick,  
Goodell,

Mr. Goodrich,  
Hebard,  
Harrington,  
Jennings,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,

Mr. G. W. Moore,  
O'Malley,  
Pond,  
Price,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
Throop,  
Van Duser,  
Walker,

33

Mr. Britain moved to recommit the bill to the committee of the whole, which motion was lost.

And the question recurring on the passage of the bill, it was passed.

On motion of Mr. Adam,

The title of the bill was amended by adding thereto, "in certain counties."

The House resolved itself into committee of the whole on the general order, Mr. Fralick in the chair.

After some time spent thereon, the committee rose and by their chairman reported back with amendments, in which the concurrence of the House was asked, a bill giving criminal jurisdiction to the Wayne county court, and the amendments were concurred in in gross.

On motion of Mr. Harrington,

The first section of the bill was amended by inserting "St. Clair" after "Lapeer."

On motion of Mr. Edmunds.

The bill was recommitted to the committee on judiciary.

The House then went into committee of the whole on the general order, Mr. Harris in the chair.

After some time, the committee rose, and by their chairman reported back to the House without amendment.

A bill to authorize the township of Bertrand, in the county of Berrien, to raise a sum of money for building a bridge.

The committee also reported back with amendments, in which the concurrence of the House was asked,

Substitute for the bill to provide for the draining of swamps, marshes and other low lands; and

A bill to provide for the relief of purchasers of university and school lands.

Which last named bill being under consideration,

Mr. Hollister moved that its further consideration be indefinitely postponed, which motion was lost.

The amendments were then concurred in, when

Mr. Goodwin moved to recommit the bill to the committee on public lands, with instructions to make provision,

1st. To determine the relative value of the parts retained and abandoned:

2d. To provide that the law only apply to lands not forfeited or unsold:

3d. That the part relinquished has not been injured by the purchaser or those acting under him:

4th. That the commissioner have shown to him the foregoing facts before any certificate shall issue;

On motion of Mr. Johnson,

The instructions were amended by adding thereto,

5th. To strike out all relative to primary school lands.

The bill was then recommitted with the instructions as amended.

The amendments to the substitute for the bill to provide for the draining of swamps, marshes and other low lands, were concurred in and the substitute adopted.

Mr. Fralick moved to strike out section twelve, which motion was lost.

On motion of Mr. Britain,

The first line of section eleven was amended by inserting 'the preceding sections of,' after the word 'under.'

On motion of Mr. Adam,

The vote by which the House refused to strike out section twelve was reconsidered, and

On motion of Mr. Noble,

The section was amended by striking out 'with' in the fourth line and inserting "who shall have and exercise in their respective counties," and also by inserting after the word 'powers' in the same line, as follows, "in reference to the draining of swamps, marshes and other low lands in any townships in their counties."

The question then recurring on the motion to strike out section twelve, it was lost.

The bill was then ordered to be engrossed and read the third time by the following vote :

## YEAS.

Mr. Adam,  
Britain,  
Darrah,  
Deming,  
Eaton,  
Edmunds,  
Faxon,  
Goodrich,  
Goodwin,  
Haydon,  
Hebard,

Mr. Hollister,  
Jennings,  
Johnson,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
Miller,  
G. W. Moore,  
Noble,

Mr. J. D. Pierce,  
Pond,  
Price,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell,  
Van Duser,  
Walker,

31

## NAYS.

Mr. Arzeno,  
Brown,  
Chubb,  
Coates,

Mr. Culver,  
Driggs,  
Ferrington,  
Fralick,

Mr. McFarlan,  
D. Pierce,  
Renwick,  
Speaker, 12

The bill to authorize the township of Bertrand, in the county of Berrien, to raise a sum of money for building a bridge, was ordered to a third reading.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to provide for the payment of damages for the right of way through the public lands of this state, which have been purchased, but not fully paid for ;

A bill to amend an act entitled an act to authorize the highway commissioners of the township of Kalamazoo to vacate certain streets

A bill to incorporate the village of Hillsdale ;

A bill to organize certain townships and for other purposes ; and;

The House amendments to the bill to provide for the preservation of the laws of this state.

Mr. Adam moved that the House adjourn until 7 o'clock, which motion was lost.

On motion of Mr. Pond,  
The House adjourned.

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*Tuesday, March 9, 1847.*

The House met pursuant to adjournment and was called to order by the Speaker.

On calling the roll, Messrs. Kinne and Turner were absent on leave, and Messrs. Darrah, Hebard, Harrington, Johnson, Jones, Kelsey, Kilborn, Marantette, McFarlan, Noble, Seymour and Upton, were absent without leave.

Mr. H. Mower presented the remonstrance of A. C. Parmelee and others, against the extension of the charter of the Farmers' and Mechanics' Bank of Michigan. Laid on the table.

Mr. J. D. Pierce presented the petition of B. F. Hinman and others, for the location of the capitol at Bellevue, in Eaton county. Laid on the table.

Mr. Adam, from the committee on ways and means, reported a bill making appropriations for the salaries of State officers, for the year 1847, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Goodwin, from the committee on state affairs, to whom was referred the joint resolution in relation to bonds and mortgages given to secure loans from the university and school funds, with instructions to strike out all therein authorizing the taking of property or evidences of debt in liquidation of debts due those funds, submitted the following report, which was accepted, and the committee discharged from the further consideration of the subject :

“The committee on state affairs, to whom was referred the foregoing resolution, with instructions, report that they have amended the same as instructed,

It may not be improper to say that the resolution as amended, is of no use whatever, as it confers no new authority, but simply re-asserts what is now the law.

The committee respectfully submit whether it may not be wise, in cases where bonds are worthless and where mortgaged premises are the only security, to save the expense of foreclosures by taking the land mortgaged in payment, thus saving to the respective funds, the amounts paid for foreclosing the mortgages. Insert in lieu of what is stricken out, the following :

"And whenever it is clearly shown to the said board that the bond accompanying any such mortgage is worthless, the said board may accept a release or other conveyance of the equity of redemption or title to the mortgaged premises from the mortgagor in satisfaction of the debt."

The joint resolution and amendment were referred to the committee of the whole and placed on the general order.

Mr. Price from the committee on engrossment and enrollment, reported as correctly engrossed, the bill to provide for the draining of swamps, marshes and other low lands.

Mr. Noble, from the committee on judiciary, to whom was referred the bill to amend an act entitled an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846, with general instructions, reported the same back with amendments, which were concurred in by the House.

Mr. Johnson moved to recommit the bill to the committee on judiciary with instructions to strike out all therein, conferring additional powers and jurisdiction on county courts.

Pending which,

On motion of Mr. Britain,

A call of the House was had, when

Messrs. Bell, Dyckman, Goodrich, Hollister, Kilborn, Knight, O'Malley, Seymour, C. H. Taylor, H. W. Taylor, Upton and Van Duser were absent without leave.

Several of the absentees having returned,

On motion of Mr. Adam,

All further proceedings under the call were dispensed with.

The question then recurring on the motion to recommit, it prevailed by the following vote :

YEAS.

Mr. Adam,  
Britain,

Mr. Glen,  
Goodrich,

Mr. Marantette,  
McFarlan,

Brooks,  
Brown,  
Culver,  
Davison,  
Deming,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,

Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Harrington,  
Hollister,  
Johnson,  
Jones,  
Kelsey,

Miller,  
G. W. Moore,  
D. Pierce,  
Shaw,  
C. H. Taylor,  
Throop,  
Van Duser,  
Walker,

32

## NAYS.

Mr. Arzeno,  
Barker,  
Bell,  
Chubb,  
Clark,  
Coates,  
Davison,  
Driggs,  
Dyckman,  
Edmunds,

Mr. Goodell,  
Hebard,  
Jennings,  
Kilborn,  
Lomis,  
Makley,  
McGraw,  
H. Mower,  
Noble,

Mr. J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Seeley,  
Shook,  
H. W. Taylor,  
Truesdell,  
Speaker,

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On motion of Mr. Lomis,  
The House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Kinne and Turner were absent on leave, and Messrs. Britain, Brooks, Coates, Goodwin, Jones, Knight, McFarlan, Miller, Noble, O'Malley, Seymour, H. W. Taylor, Throop and Walker were absent without leave.

Mr. D. Pierce moved a reconsideration of the vote by which the bill to amend an act entitled an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846, was this morning recommitted to the committee on judiciary with instructions, which motion prevailed by the following vote :

## YEAS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Chubb,  
Clark,  
Darrah,  
Davison,

Mr. Goodell,  
Goodwin,  
Goodyear,  
Haydon,  
Hebard,  
Jennings,  
Kelsey,  
Kilborn,

Mr. H. Mower,  
Noble,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Seeley,



Deming,  
Driggs,  
Dyckman,  
Edmunds,  
Faxon,  
Glen,

Knight,  
Lomis,  
Makley,  
Marantette,  
McGraw,  
Miller,

Shaw,  
Shook,  
Truesdell,  
Upton,  
Walker,  
Speaker, 42

NAYS.

Mr. Britain,  
Brooks,  
Brown,  
Culver,  
Eaton,  
Ferrington,

Mr. Fralick,  
Goodrich,  
Harris,  
Harrington,  
Hollister,

Mr. Johnson,  
McFarlan,  
C. H. Taylor,  
Throop,  
Van Duser, 16

The question recurring on the motion to recommit the bill with instructions to strike out all that part conferring additional jurisdiction and powers on the county courts, it was lost by yeas and nays, as follows:

YEAS.

Mr. Britain,  
Brooks,  
Brown,  
Eaton,  
Ferrington,  
Fralick,  
Glen,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Hollister,  
Johnson,

Mr. Jones,  
McFarlan,  
G. W. Moore,  
C. H. Taylor,  
Throop,  
Van Duser, 19

NAYS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Chubb,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,

Mr. Edmunds,  
Faxon,  
Goodell,  
Haydon,  
Hebard,  
Jennings,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McGraw,  
H. Mower,

Mr. Noble,  
D. Pierce,  
J. D. Pierce  
Pond,  
Price,  
Renwick.  
Seeley,  
Shaw,  
Shook,  
H. W. Taylor,  
Truesdell,  
Upton,  
Speaker, 39

The question then being on the passage of the bill, it was passed by the following vote :

YEAS.

Mr. Adam,  
Arzeno,  
Barker,

Mr. Goodell,  
Haydon,  
Hebard,

Noble,  
D. Pierce,  
J. D. Pierce,

Bell,  
Chubb,  
Clark,  
Coates,  
Culver,  
Darrah,  
Davison,  
Driggs,  
Dyckman,  
Faxon,

Jennings,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McGraw,  
Miller,  
H. Mower,

Pond,  
Price,  
Renwick,  
Seeley,  
Shook,  
H. W. Taylor,  
Truesdell,  
Upton,  
Speaker,

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## NAYS.

Mr. Britain,  
Brooks,  
Brown,  
Eaton,  
Ferrington,  
Fralick,  
Glen,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Hollister,  
Johnson,  
Jones,

Mr. McFarlan,  
G. W. Moore,  
Shaw,  
C. H. Taylor,  
Throop,  
Van Duser,  
Walker, 21

On motion of Mr. Britain,

The time at which the committee on harbors were instructed to report, was extended until to-morrow.

Mr. Johnson, from the committee on banks and incorporations, reported back the bill to repeal an act entitled an act to incorporate the Detroit and Grand River Plank Road Company, approved March 4, 1844, and amendatory acts thereto, amended in accordance with instructions.

Mr. Jennings moved that the further consideration of the bill be indefinitely postponed, which motion was lost, and

The bill was passed by a two-thirds vote as follows :

## YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brooks,  
Brown,  
Chubb,  
Clark,  
Culver,  
Darrah,  
Davison,  
Deming,  
Dyckman,  
Eaton,  
Edmunds,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Haydon,  
Hebard,  
Hollister,  
Johnson,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw

Mr. H. Mower,  
Noble,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,  
Truesdell,  
Upton,

Faxon,  
Farrington,  
Fralick,

Miller,  
G. W. Moore,

Van Duser,  
Walker,

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NA YS.

Mr. Barker,  
Glen,

Mr. Harris,  
Jennings,

Mr. H. W. Taylor,  
Speaker, 6

On motion of Mr. Adam,

The title was amended by striking out "repeal" and inserting "amend."

Mr. Johnson, from the committee on banks and incorporations, reported back without amendment, the Senate bill to amend an act entitled an act to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad Company, and reported adverse to its passage, which report was accepted and the committee discharged from the further consideration of the subject ; and

On motion of Mr. J. D. Pierce,

The further consideration of the bill was indefinitely postponed.

Mr. Johnson, from the same committee, reported back the bill to establish the Central Bank, and reported adverse to its passage, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. H. W. Taylor moved that the bill be recommitted to a select committee, with instructions to report complete ;

Pending which,

Mr. C. H. Taylor moved that the further consideration of the bill be indefinitely postponed.

Mr. Bell moved the previous question, which was sustained, and the main question ordered to be now put.

The main question, being on the indefinite postponement of the bill, was then put and carried by the following vote :

YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Brown,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Eaton,

Mr. Goodell,  
Goodyear  
Harris,  
Hebard,  
Hollister,  
Johnson,  
Jones,  
Kilborn,  
Lomis,  
Makley,

Mr. Miller.  
G. W. Moore,  
Noble,  
J. D. Pierce,  
Price,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,

Ferrington,  
Fralick,  
Glen,

Marantette,  
McFarlan,  
McGraw,

Upton,  
Walker,  
Speaker, 39

NAYS.

Mr. Barker,  
Britain,  
Brooks,  
Chubb,  
Clark,  
Dyckman,  
Edmunds,

Mr. Faxon,  
Goodrich,  
Goodwin,  
Haydon,  
Jennings,  
Kelsey,  
H. Mower,

Mr. D. Pierce,  
Renwick,  
Seymour,  
H. W. Taylor,  
Truesdell,  
Van Duser, 20

Mr. Johnson, from the committee on banks and incorporations, reported back without amendment the bill to establish the Kalamazoo county bank, and reported adverse to its passage, which report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Adam moved that the further consideration of the bill be indefinitely postponed.

Mr. Johnson moved the previous question, which was sustained, and the main question was ordered to be now put.

The main question, being on the indefinite postponement of the bill, was then put and prevailed by yeas and nays, as follows :

YEAS.

Mr. Adm.  
Arzeno,  
Bell,  
Brown,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Eaton,  
Edmunds,  
Ferrington,  
Fralick,  
Glen,  
Goodell,

Mr. Goodwin,  
Goodyear,  
Harris,  
Hebard,  
Hollister,  
Johnson,  
Jones,  
Kilborn,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,  
Miller,  
G. W. Moore,

Mr. Noble,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,  
Upton,  
Walker,  
Speaker, 44

NAYS.

Mr. Barker,  
Britain,  
Brooks,  
Chubb,  
Clark,  
Dyckman,

Mr. Faxon,  
Goodrich,  
Haydon,  
Jennings,  
Kelsey,

Mr. H. Mower,  
D. Pierce,  
H. W. Taylor,  
Truesdell,  
Van Duser, 16

Mr. Noble, from the committee on the judiciary, reported back without amendment, the bill giving criminal jurisdiction to the Wayne county court, and reported adverse to its passage, which report was accepted, and the committee discharged from the further consideration of the subject.

On motion of Mr. Throop,

The further consideration of the bill was indefinitely postponed.

The Speaker announced the following communication :

SENATE CHAMBER. }  
Detroit, March 9, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the “bill to locate the Capitol, pursuant to section 9, of article 12, of the constitution of this state,” and to respectfully inform you that the Senate have concurred therein.

Your ob’t serv’t,

JAS. E. PLATT,

*Sec. Senate.*

The bill to locate the capitol pursuant to section nine of article twelve of the constitution of this state, was ordered to be enrolled.

The following message was received from the Senate :

SENATE CHAMBER, }  
Detroit, March 8, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to return the “bill to authorize the minor heirs of the late Martha Town, deceased, to release their claims to a certain tract of land,” and the “joint resolution relative to furnishing legislative documents to the British Museum,” and to respectfully inform you that the Senate have concurred therein.

Also to return the “bill to provide for the reassessment of certain taxes of the year 1844 in the township of Burns in the county of Shiawassee,” and to respectfully inform you that the Senate have non-concurred therein.

I am further instructed to inform you that Senators Kibbee, Denton and Green have been appointed a committee of conference on the disagreement between the two Houses on the “joint resolution relative to the amount due the university fund from the county of Lenawee.”

I am also instructed to inform you that the Senate have concurred in the House amendments to the "joint resolution relative to a certain sum of money stolen from the treasurer's office in Shiawassee county," and have ordered the resolution as amended to be enrolled.

Your obedient servant,

JAMES E. PLATT,

*Secretary of the Senate.*

The bill to authorize the minor heirs of the late Martha Town, deceased, to release their claims to a certain tract of land, and

The joint resolution relative to furnishing legislative documents to the British Museum, were ordered to be enrolled.

The Speaker announced the following message from the Senate:

SENATE CHAMBER, }  
Detroit, March 9, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the following entitled bills and to respectfully inform you that the Senate have concurred therein: "a bill relative to certain transcribed records of the county of Livingston;" "joint resolution relative to the transmission of documents to Alexander Vattermare of Paris," and a "bill to extend the time for the collection of certain taxes in the township of Saginaw in the county of Saginaw."

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The bill relative to certain transcribed records of the county of Livingston;

The bill to extend the time for the collection of certain taxes in the township of Saginaw in the county of Saginaw; and

The joint resolution relative to the transmission of documents to Alexander Vattermare of Paris, were ordered to be enrolled.

The Speaker announced the following message from the Senate:

SENATE CHAMBER, }  
Detroit, March 8, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the "bill to authorize the register of deeds of Macomb county to amend the record of the village plat of the village of Romeo," and the "bill to provide for

the payment of George A. Robinson," and to respectfully inform you that the Senate have concurred therein.

Also to transmit a "bill to authorize the board of supervisors of the county of Wayne to rebuild the draw bridge on the river Rouge on the territorial (now state) road, between Detroit and Monroe, via Flat Rock," which the Senate have passed and in which the concurrence of the House is respectfully asked.

Your obedient servant,

JAMES E. PLATT,

*Sec'y. of Senate.*

The bill to authorize the register of deeds of Macomb county to amend the record of the village plat of the village of Romeo, and,

The bill to provide for the payment of George A. Robinson were ordered to be enrolled.

The Senate bill to authorize the board of supervisors of the county of Wayne to rebuild the draw bridge over the River Rouge on the territorial (now state) road between Detroit and Monroe by the way of Flat Rock, was read twice and referred to the committee on roads and bridges.

Mr. Price, from the committee on engrossment and enrollment, reported that the bill to locate the capitol pursuant to section nine of article twelve of the constitution of this state, was correctly enrolled and was this day presented to the governor for his approval.

Mr. J. D. Pierce, offered the following concurrent resolution :

*Resolved*, (the Senate concurring,) that this legislature will adjourn *sine die* on Friday the twelfth inst.

On motion of Mr. H. W. Taylor,

The resolution was amended by adding thereto "at noon."

Mr. H. Mower moved to strike out "twelfth" and insert "eleventh," which motion was lost, and the resolution was then adopted by the following vote :

YEAS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Britain,  
Brooks,  
Brown,

Mr. Goodell,  
Goodrich,  
Goodwin,  
Goodyear,  
Harris,  
Haydon,  
Hebard,

Mr. G. W. Moore,  
H. Mower,  
Noble,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,

Chubb,  
Clark,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,  
Glen,

Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,  
Miller,  
NAYS.

Renwick,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Upton,  
Van Duser,  
Walker,  
Speaker,

59

Mr. Seymour,

1

Mr. Adam gave notice that to-morrow he should ask leave to introduce a bill to provide for the removal of the seat of government of this state to the township of Lansing, in the county of Ingham.

Mr. Kilborn by unanimous consent, introduced a bill appropriating certain non-resident highway taxes for the purpose of improving the Detroit and Grand River turnpike in the county of Ingham, which was read twice and referred to the committee on roads and bridges.

Mr. D. Pierce, by unanimous consent, presented the petition of George Warner and other citizens of Washtenaw county, for a division of the state into single representative and senatorial districts, which was laid on the table.

Mr. Eaton, by unanimous consent, presented the claims of A. S. Bagg and sundry others, which were referred to the committee on claims.

Mr. Britain moved to take from the table the resolution offered by him some days since, relative to the formation of a new judicial circuit, and the appointment of another justice of the supreme court, which motion was lost by yeas and nays, as follows:

## YEAS.

Mr. Britain,  
Brooks  
Clark,  
Edmunds.  
Glen,  
Goodrich,  
Goodwin,  
Harris,  
Haydon,  
Johnson,

Mr. Kelsey,  
Makley,  
McFarlan,  
H. Mower,  
Noble,  
D. Pierce,  
Pond,  
Price,  
Renwick,  
Seeley,

Mr. Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell,  
Upton,  
Van Duser,  
Walker,

29



## NAYS.

Mr. Adam	Mr. Dyckman,	Mr. Kilborn,
Arzeno,	Eaton,	Knight,
Barker,	Faxon,	Lomis,
Bell,	Ferrington,	Marantette,
Brown,	Fralick,	McGraw,
Chubb,	Goodell,	Miller,
Culver,	Goodyear,	G. W. Moore
Darrah,	Hebard,	J. D. Pierce,
Davison,	Hollister,	Throop,
Deming,	Jennings,	Speaker,
Driggs,	Jones,	32

Mr. H. W. Taylor moved to take from the table the joint resolution to amend the constitution, (House bill No. 39) which motion was lost, by the following vote:

## YEAS.

Mr. Brooks,	Mr. Goodyear,	Mr. H. Mower,
Chubb,	Haydon,	D. Pierce,
Clark,	Harrington,	Pond,
Davison,	Jennings,	Renwick,
Dyckman,	Kelsey,	Seeley,
Edmunds,	Kilborn,	Shaw,
Faxon,	Lomis,	Seymour,
Fralick,	McFarlan,	H. W. Taylor,
Goodrich,	Miller,	Truesdell,
Goodwin,	G. W. Moore,	Speaker. 30

## NAYS.

Mr. Adam,	Mr. Eaton,	Mr. Marantette,
Arzeno,	Ferrington,	Noble,
Barker,	Glen,	J. D. Pierce,
Bell,	Harris,	Price,
Britain,	Hebard,	Shook,
Brown,	Hollister,	C. H. Taylor,
Culver,	Johnson,	Throop,
Darrah,	Jones,	Upton,
Deming,	Knight,	Van Duser,
Driggs,	Makley,	Walker, 30

On motion of Mr. Britain,

The bill proposing certain amendments to the constitution, was taken from the table.

Mr. Britain moved a reconsideration of the vote by which the the House yesterday refused to strike out of the second proposed amendment, the words "lieutenant governor, secretary of state, state treasurer, auditor general," which motion was lost.

Mr. C. H. Taylor moved that the further consideration of the bill be indefinitely postponed, which motion was lost by the following vote:

## YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Brown,  
Culver,  
Darrah,  
Deming,  
Dyckman,

Mr. Glen,  
Goodyear,  
Hebard,  
Harrington,  
Johnson,  
Jones,  
Makley,

Mr. Miller,  
Noble,  
J. D. Pierce,  
Pond,  
C. H. Taylor,  
Throop,  
Walker,

22

## NAYS.

Mr. Barker,  
Britain,  
Brooks,  
Chubb,  
Clark,  
Davison,  
Driggs,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,

Mr. Goodell,  
Goodrich,  
Goodwin,  
Haydon,  
Hollister,  
Jennings,  
Kelsey,  
Kilborn,  
Lomis,  
Marantette,  
McFarlan,  
McGraw,

Mr. G. W. Moore,  
H. Mower,  
D. Pierce,  
Price,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
H. W. Taylor,  
Truesdell,  
Speaker,

35

Mr. Hollister moved to amend the bill by striking out the third proposed amendment, which motion was lost by yeas and nays as follows:

## YEAS.

Mr. Brown,  
Chubb,  
Clark,  
Culver,  
Driggs,  
Goodrich,

Mr. Goodyear,  
Hollister,  
Jones,  
Kelsey,  
Lomis,  
Makley,

Mr. McGraw,  
Miller,  
Pond,  
C. H. Taylor,  
H. W. Taylor  
Upton, 18

## NAYS.

Mr. Adam  
Arzeno,  
Barker,  
Bell,  
Britain,  
Brooks,  
Darrah,  
Deming,  
Dyckman,

Mr. Fralick,  
Glen,  
Goodell,  
Goodwin,  
Haydon,  
Hebard,  
Harrington,  
Jennings,  
Johnson,

Mr. Noble,  
D. Pierce,  
J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
Throop,

Eaton,  
Edmunds,  
Faxon,  
Ferrington,

Kilborn,  
McFarlan,  
G. W. Mower,  
H. Mower,

Truesdell,  
Van Duser,  
Walker,  
Speaker, 39

Mr. Goodwin moved to amend the third line of the second proposed amendment, by striking out the words "circuit or county," which motion prevailed.

Mr. Goodwin moved to strike out the fourth proposed amendment which motion was lost by the following vote :

YEAS.

Mr. Clark,  
Fralick,  
Goodrich,  
Goodwin,

Mr. Harris,  
Haydon,  
Hollister,  
McFarlan,  
NAYS.

Mr. Noble,  
Pond,  
H. W. Taylor,  
Throop, 12

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Britain,  
Brooks,  
Brown,  
Chubb,  
Culver,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,

Mr. Faxon.  
Ferrington,  
Glen,  
Goodell,  
Goodyear,  
Hebard,  
Jennings,  
Johnson,  
Jones,  
Kilborn,  
Lomis,  
Makley,  
Miller,  
G. W. Moore,

Mr. H. Mower,  
D. Pierce,  
J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
Truesdell,  
Upton,  
Van Duser,  
Walker,  
Speaker, 43

The question then being on ordering the bill to be engrossed and read the third time, it was negatived by the following vote:

YEAS.

Mr. Barker,  
Britain,  
Brooks,  
Chubb,  
Clark,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Ferrington,

Mr. Fralick,  
Goodell,  
Haydon,  
Hollister,  
Jennings,  
Jones,  
Kilborn,  
McFarlan,  
H. Mower,

Mr. D. Pierce,  
J. D. Pierce,  
Price,  
Renwick,  
Shaw,  
Shook,  
H. W. Taylor,  
Truesdell,  
Van Duser.

28

NAYS.

Mr. Adam,  
Arzeno,  
52

Mr. Goodrich,  
Goodwin,

Mr. Miller,  
G. W. Moore,

Bell,  
Brown,  
Culver,  
Darrah,  
Davison,  
Deming,  
Faxon,  
Glen,

Goodyear,  
Harris,  
Hebard,  
Harrington,  
Johnson,  
Lomis,  
Makley,  
McGraw,

Noble,  
Pond,  
Seeley,  
C. H. Taylor,  
Throop,  
Upton,  
Walker,  
Speaker, 30

Mr. Upton gave notice that on some future day he should ask leave to introduce a bill to incorporate a company to construct a plank road from Detroit via Lansing to Grand River.

The bill to amend an act entitled an act to authorize the highway commissioners of the township of Kalamazoo to vacate certain streets, was read the third time and passed.

The bill to provide for the draining of swamps, marshes and other low lands, was read the third time, when

Mr. Fralick moved to recommit the bill to the committee on state affairs with instructions to strike out the twelfth section, which motion was lost, and the bill was passed by the following vote :

## YEAS.

Mr. Adam,  
Barker,  
Bell,  
Britain,  
Brooks,  
Brown,  
Clark,  
Darrah,  
Davison,  
Deming,  
Dyckman,  
Eaton,  
Faxon,  
Glen,  
Goodrich,

Mr. Goodwin,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
McGraw,  
Miller,

Mr. G. W. Moore,  
H. Mower,  
Noble,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Seeley,  
Shaw,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Upton,  
Walker,

43

## NAYS.

Mr. Chubb,  
Culver,  
Driggs,  
Edmunds,  
Ferrington,

Mr. Fralick,  
Goodyear,  
Jones,  
McFarlan,

Mr. Price,  
Renwick,  
Shook,  
Speaker,

13

The bill to provide for the preservation of the laws of this state, and

The bill to organize certain townships, and for other purposes were read the third time and passed.

The bill to incorporate the village of Hillsdale, was read the third time and passed by a two-thirds vote, as follows :

## YEAS.

Mr. Adam,  
Britain,  
Brooks,  
Brown,  
Chubb,  
Culver,  
Darrah,  
Davison,  
Deming,  
Dyckman,  
Eaton,  
Faxon,  
Ferrington,  
Glen,  
Goodrich,  
Goodyear,

Mr. Harris,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
McFarlan,  
Miller,  
G. W. Moore,  
H. Mower,

Mr. Noble,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Upton,  
Van Duzer,  
Walker,  
Speaker,

46

## NAYS.

Mr. Arzeno,  
Barker,  
Clark,

Mr. Driggs,  
Edmunds,  
Fralick,

Mr. Goodwin,  
D. Pierce,  
Renwick,

9

The bill to provide for the payment of damages for the right of way through the public lands of this state which have been purchased but not fully paid for ;

The bill to authorize the township of Bertrand, in the county of Berrien, to raise a sum of money for building a bridge ;

The bill to provide for laying out a certain road in the county of Macomb ; and

The bill appropriating certain highway taxes for the improvement of a road in the counties of Van Buren and Berrien,

Were severally read the third time and passed.

Mr. Noble moved that when the House adjourn, it will adjourn to meet at seven o'clock this evening, which motion prevailed by yeas and nays as follows:

## YEAS.

Mr. Adam,  
Arzeno,  
Brooks,  
Brown,  
Darrah,  
Deming,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Hebard,  
Harrington,  
Hollister

Mr. D. Pierce,  
Price,  
Renwick,  
C. H. Taylor,  
Throop,  
Upton,

Driggs,  
Edmunds,  
Ferrington,  
Fralick,

Jennings,  
Johnson,  
Kilborn,  
Noble,

Van Duzer,  
Walker,  
Speaker,

29

## NAYS.

Mr. Barker,  
Britain,  
Chubb,  
Clark,  
Coates,  
Culver,  
Dyckman,  
Eaton,  
Faxon,

Mr. Glen,  
Harris,  
Haydon,  
Kelsey,  
Lomis,  
Makley,  
McFarlan,  
McGraw,  
Miller,

Mr. G. W. Moore,  
H. Mower,  
Pond,  
Seeley,  
Shaw,  
Shook,  
H. W. Taylor,  
Truesdell,

26

Mr. Truesdell moved that the House go into committee of the whole, on the general order, which motion was lost.

Mr. C. H. Taylor moved that the House adjourn, which motion prevailed by the following vote:

## YEAS.

Mr. Adam,  
Barker,  
Brooks,  
Brown,  
Culver,  
Darrah,  
Davison,  
Deming,  
Dyckman,  
Ferrington,  
Glen,

Mr. Goodrich,  
Goodwin,  
Goodyear,  
Hollister,  
Johnson,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
McGraw,  
G. W. Moore,

Mr. D. Pierce,  
J. D. Pierce,  
Price,  
Seeley,  
Shaw,  
Shook,  
Throop,  
Upton,  
Van Duser,  
Walker,  
Speaker,

33

## NAYS.

Mr. Arzeno,  
Britain,  
Chubb,  
Clark,  
Coates,  
Driggs,  
Eaton,  
Edmunds,

Mr. Faxon,  
Fralick,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Jennings,  
McFarlan,

Mr. Miller,  
H. Mower,  
Noble,  
Pond,  
Renwick,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell,

25

So the House adjourned to meet at seven o'clock.

*Evening Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Kinne and Turner were absent on

leave, and Messrs. Bell, Clark, Coates, Darrah, Eaton, Edmunds, Goodell, Goodrich, Harris, Hollister, Jones, Kilborn, Lomis, Makley, Marantette, McFarlan, McGraw, O'Malley, J. D. Pierce, Renwick, Seeley, Seymour, Shook, Truesdell and Upton, were absent without leave.

Mr. Goodwin asked and obtained leave of absence for Mr. Goodell for the evening.

Mr. C. H. Taylor for Mr. J. D. Pierce, for the same time.

Mr. Davison for Mr. Goodrich, for the same time.

Mr. Haydon for Mr. Glen, for the same time.

Mr. Johnson moved a suspension of the rules, to enable him to introduce a bill, which motion prevailed by a two-thirds vote, as follows:

## YEAS.

Mr. Adam,  
Britain,  
Brown,  
Chubb,  
Culver,  
Deming,  
Driggs,  
Dyckman,  
Faxon,  
Fralick,

Mr. Glen,  
Haydon,  
Hebard,  
Johnson,  
Kelsey,  
Knight,  
Makley,  
Miller,  
G. W. Moore,

Mr. Noble,  
D. Pierce,  
Price,  
Shaw,  
C. H. Taylor,  
Throop,  
Van Duser,  
Walker,  
Barker,

28

## NAYS.

Mr. Barker,  
Brooks,  
Davison,

Mr. Ferrington,  
Goodwin,  
Goodyear,

Mr. Jennings,  
H. Mower,  
H. W. Taylor, 9

Mr. Johnson then introduced a bill to incorporate the Tecumseh and Lansing Plank Road Company, which was read twice, referred to the committee of the whole and placed on the general order.

The House then resolved itself into committee of the whole on the general order, Mr. Johnson in the chair.

After some time the committee rose and by their chairman reported back to the House without amendment :

A joint resolution relative to the settlement of a claim of Edward D. Ellis and William H. H. Briggs ; and

A bill to amend the revised statutes of 1846, in relation to the assessment of dowers.

The committee also reported back with amendments, in which the concurrence of the House was asked,

A bill to incorporate the Tecumseh and Lansing plank road company;

A bill to organize certain townships in the counties of Marquette, Houghton, Schoolcraft and Ontonagon;

A bill to amend the revised statutes of 1846, concerning the assessment and collection of taxes;

A bill to improve the navigation of the St. Joseph river;

A bill to authorize the administrator of the estate of Nehemiah O. Sargeant to grant the right of way for a canal, through lands on Grand river;

A joint resolution proposing amendments to the constitution:

A joint resolution in relation to bonds and mortgages, given to secure loans from the university and school funds; and

The report of the select committee on the geological survey, relative to the publication of a final report.

Mr. H. W. Taylor moved that the House adjourn, which motion prevailed by the following vote:

#### YEAS.

Mr. Adam,  
Barker,  
Britain,  
Brooks,  
Brown,  
Culver,  
Darrah,  
Davison,  
Dyckman,  
Faxon,

Mr. Fralick,  
Goodyear,  
Haydon,  
Hebard,  
Hollister,  
Johnson,  
Kelsey,  
Knight,  
G. W. Moore,  
J. D. Pierce,

Mr. Price,  
Seeley,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Upton,  
Walker,  
Speaker,

29

#### NAYS.

Mr. Chubb,  
Edmunds,  
Goodwin,  
Jennings,

Mr. Kilborn,  
Miller;  
H. Mower,  
Noble,

Mr. D. Pierce,  
Renwick,  
Shaw,  
Van Duser,

12

So the House adjourned.

*Wednesday, March 10, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Kinne and Turner were absent on



leave, and Messrs. Clark, Coates, Davison, Deming, Edmunds, Ferrington, Goodwin, Johnson, Kelsey, McFarlan, Noble, D. Pierce, Renwick, Seymour and H. W. Taylor, were absent without leave.

Mr. C. H. Taylor presented the petition of Thomas Heeley Forrester Barstow, for a change of name. Referred to the committee on the judiciary.

Mr. Harrington presented the claim of Louis Cavalli, for translating the Governor's message into the German language. Referred to the committee on claims.

Mr. J. D. Pierce, from the committee on federal relations, reported back the joint resolutions relative to the public lands and the patronage of the General Government, with amendments, which amendments were concurred in, and

On motion of Mr. Throop,

The joint resolutions were laid on the table.

Mr. Hebard, from the committee on roads and bridges, reported back without amendment and recommended their passage, the bill to authorize the board of supervisors of the county of Wayne to rebuild the drawbridge on the river Rouge, on the territorial (now state) road, between Detroit and Monroe, by the way of Flat Rock, and the bill appropriating certain non-resident highway taxes, for improving the Detroit and Grand River turnpike, in the county of Ingham, and the bills were severally referred to the committee of the whole and placed on the general order.

Mr. Britain, from the committee on harbors, submitted a report which was accepted, and

On motion of Mr. Adam,

Laid on the table and five hundred extra copies ordered to be printed.

Mr. H. Mower asked and obtained leave of absence for Mr. Coates for the remainder of the session.

Mr. C. H. Taylor moved to suspend the action of the resolution prohibiting the introduction of new business, which motion prevailed by the following vote:

YEAS.

Mr. Adam,  
Arzeno,  
Bell,

Mr. Glen,  
Goodell,  
Goodrich,

Mr. Miller,  
Noble,  
O'Malley

Britain,  
Brown,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Faxon,

Goodyear  
Harris,  
Hebard,  
Hollister,  
Johnson,  
Kelsey,  
Kilborn,  
Knight,  
Makley,

D. Pierce,  
Pond,  
Shaw,  
Shook,  
C. H. Taylor,  
Truesdell,  
Upton,  
Walker,  
Speaker, 36

# NAYS.

Mr. Barker,  
Brooks,  
Chubb,  
Clark,  
Eaton,  
Edmunds,  
Ferrington,  
Fralick,

Mr. Goodwin,  
Harrington,  
Jones,  
Lomis,  
Marantette,  
McFarlan,  
McGraw,  
G. W. Moore,

Mr. H. Mower,  
Price,  
Renwick,  
Seeley,  
Seymour,  
H. W. Taylor,  
Throop,  
Van Duser, 24

Mr. Adam, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for the removal of the seat of government of this state, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Harrington, by unanimous consent, introduced a joint resolution relative to maps and profiles of the northern railroad, which was read twice, referred to the committee of the whole and placed on the general order.

, On motion of Mr. Glen,

*Resolved*, That the committee on the state library be instructed to inquire into the expediency of authorizing the secretary of state to exchange extra copies of the laws of this state with the booksellers of this state, for such books as he may select to be placed by him in the state library, and report by bill or otherwise.

Mr. Goodwin, by unanimous consent, introduced a joint resolution relative to the removal of the seat of government, which was read twice, and

On motion of Mr. Pond,

Its further consideration was indefinitely postponed.

Mr. Upton, by unanimous consent, introduced a bill to incorporate the Byron and Portland Plank Road Company, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. D. Pierce, by unanimous consent, introduced a bill to incorporate the Dexter and Lansing Plank Road Company, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Adam, by unanimous consent, introduced a bill in regard to the recorded plat of the eastern addition to the village of Adrian, which was read twice and ordered to be engrossed for a third reading.

On motion Mr. C. H. Taylor,

The rule was suspended to enable the bill to be read the third time to-day.

Mr. Noble, from the committee on the judiciary, by unanimous consent, reported back the petition of Thomas Heeley Forrester Barstow, for a change of name, and asked to be discharged from its further consideration, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Adam moved a reconsideration of the vote by which the House yesterday indefinitely postponed the further consideration of the bill to establish the Central Bank, and

On motion of Mr. H. W. Taylor,

The motion to reconsider was laid on the table.

Mr. Seymour moved a reconsideration of the vote by which the House yesterday indefinitely postponed the further consideration of the bill to establish the Kalamazoo County Bank, and

On motion of Mr. H. Mewer,

The motion to reconsider was laid on the table.

Mr. Price, from the committee on engrossment and enrollment, reported that the following bills and joint resolutions were correctly enrolled, and were this day presented to the governor for his approval, viz :

A bill to provide for the payment of George A. Robinson ;

A bill to authorize the register of deeds of Macomb county to amend the record of the village plat of the village of Romeo ;

A bill to extend the time for the collection of certain taxes in the township of Saginaw in the county of Saginaw ;

A bill relative to certain transcribed records of the county of Livingston ;

A bill to authorize the minor heirs of the late Martha Town, deceased, to release their claims to a certain tract of land ;

A joint resolution relative to furnishing legislative documents to the British Museum ; and

A joint resolution relative to the transmission of documents to Alexander Vattemare of Paris.

• Mr. Price from the same committee, also reported as correctly engrossed, a bill in regard to the recorded plat of the Eastern Addition to the village of Adrian.

UNFINISHED BUSINESS.

The House took up the bill to organize certain townships in the counties of Marquette, Houghton, Schoolcraft and Ontonagon, and the amendments made in committee of the whole were concurred in, in gross.

On motion of Mr. Seymour,

The word "Seymour" was stricken out of the twelfth section, and 'Grand Island' inserted.

On motion of Mr. Adam,

The word 'July' was stricken out of the eleventh section, and 'June' inserted.

The bill was then ordered to be engrossed and read the third time.

The amendments made in committee of the whole to the joint resolution in relation to bonds and mortgages given to secure loans from the university and school funds, were concurred in, and the joint resolution was ordered to be engrossed and read the third time.

The amendment striking out all after the resolving clause to the joint resolution proposing amendments to the constitution, (House bill No. 118,) was concurred in, and the further consideration of the resolving clause was indefinitely postponed.

The amendment made in committee of the whole, to the bill to authorize the administrator on the estate of Nehemiah O. Sergeant to grant the right of way for a canal through lands on Grand River, was non-concurred in, and the bill ordered to be engrossed and read the third time.

The amendment made in committee of the whole to the bill to improve the navigation of the St. Joseph river, was concurred in.

Mr. Edmunds moved to commit the bill to the committee on har-

bors, with instructions to strike out "four hundred thousand" and insert "seven thousand," and to add the proper details to the bill, pending which,

Mr. Adam moved that the further consideration of the bill be indefinitely postponed, which motion was lost by the following vote:

YEAS.

Mr. Adam,  
Chubb,  
Clark,  
Darrah,  
Davison,  
Deming,  
Eaton,  
Ferrington,  
Fralick,

Mr. Goodell,  
Goodyear,  
Haydon,  
Hebard,  
Knight,  
Lomis,  
Makley,  
McGraw,

Mr. McFarlan,  
G. W. Moore,  
J. D. Pierce,  
Pond,  
Price,  
Shook,  
Throop,  
Walker,

25

NAYS.

Mr. Bell,  
Britain,  
Brooks,  
Brown,  
Culver,  
Driggs,  
Dyckman,  
Edmunds,  
Faxon,  
Glen,  
Goodrich,

Mr. Goodwin,  
Harris,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Kelsey,  
Kilborn,  
Marantette,  
H. Mower,  
Noble,

Mr. D. Pierce,  
Renwick,  
Seeley,  
Seymour,  
Shaw,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell,  
Upton,  
Speaker,

32

Mr. Fralick moved to lay the whole subject on the table, which motion was lost, and

The question recurring on the motion to recommit with instructions, it prevailed by the following vote:

YEAS.

Mr. Barker,  
Bell,  
Britain,  
Brooks,  
Culver,  
Darrah,  
Driggs,  
Dyckman,  
Edmunds,

Mr. Faxon,  
Glen,  
Goodwin,  
Harrington,  
Hollister,  
Johnson,  
Kelsey,  
Kilborn,  
Marantette,

Mr. H. Mower,  
Noble,  
Renwick,  
Seeley,  
Shaw,  
C. H. Taylor,  
Upton,  
Speaker.

26

NAYS.

Mr. Adam,  
Chubb,

Mr. Goodyear,  
Haydon,

Mr. D. Pierce,  
J. D. Pierce,

Clark,  
Davison,  
Eaton,  
Ferrington,  
Fralick,  
Goodell,

Jennings,  
Knight,  
Lomis,  
Makley,  
McFarlan,  
G. W. Moore,

Pond,  
Price,  
Shook,  
Throop,  
Truesdell,  
Walker, 24

The substitute, being joint resolutions relative to the publication of the geological report of Michigan, for the report of the select committee on the geological survey, relative to the publication of a final report on the geology of Michigan, reported by the committee of the whole, was concurred in by the House.

On motion of Mr. Britain,

The second resolution was amended by inserting after the word "library," in the third line, as follows, "of which each township library shall be entitled to one copy of said geological report, on paying the cost of such copy."

Mr. Goodwin moved the following as an additional resolution:

*Resolved* That each township paying into the state treasury two dollars, shall be entitled to one copy of the same," and also to amend the second resolution by striking out "two thousand" before "volumes" and inserting "three thousand."

Mr. H. Mower moved to amend the amendment by inserting "and individuals" after "township," which motion was lost.

Mr. Goodrich moved to amend the amendment, by striking out "dollars" and inserting "cents," which motion was lost.

The question recurring on the original amendment, it was adopted.

Mr. Goodrich moved to commit the joint resolution to the committee on state affairs with instructions to strike out the provision requiring townships to pay for their copies, which motion was lost.

On motion of Mr. Adam,

The following was added to stand as an additional resolution, viz :

*Resolved*, That no contract shall be made and no expenditure incurred under this resolution, until sufficient security shall be given to the auditor general that the edition of the geological report herein authorized, will be completed and published, ready for sale, for seven thousand dollars.

On motion of Mr. Edmunds,

The joint resolutions were committed to the committee on state

affairs, with instructions to amend them so as to deposit five hundred, instead of one thousand, copies in the state library, and to otherwise revise and correct them, and report complete.

The House then took up the bill to amend the revised statutes of 1846, concerning the assessment and collection of taxes, and the question being on concurring in the amendments made in committee of the whole,

On motion of Mr. H. W. Taylor,

The amendments were amended by inserting the following to stand as section four :

Sec. 4. Whenever the auditor general shall be satisfied that any deed executed by him upon the sale of any land for taxes, has been erroneously executed and ought to be cancelled, he shall, on application of the person claiming the premises, give to the applicant a certificate of the same, duly executed and proved or acknowledged, as other documents for record are proved or acknowledged, and whenever such certificate so proved or acknowledged shall be presented to the register of the proper county, where the said deed shall have been recorded, the said register shall record the same, and cancel the said deed of record, by a short memorandum written on the margin, or on the face of the said deed, stating the substance of the said certificate, and thereupon the said deed shall be absolutely void, so far as the lands described in the said deed and in the said certificate are identical.

The amendment as amended was then concurred in, and the bill ordered to be engrossed and read the third time.

The amendment made in committee of the whole to the bill to incorporate the Tecumseh and Lansing Plank Road Company, was concurred in.

On motion of Mr. Adam,

All after the word "act," in the twenty-first section, was stricken out.

The bill was then ordered to be engrossed for a third reading.

The bill to amend the revised statutes of 1846, in relation to the assignment of dower, and

The joint resolution relative to the settlement of a claim of Edward

D. Ellis and William H. H. Briggs, were severally ordered to be engrossed and read the third time.

On motion of Mr. H. W. Taylor,  
The House adjourned.

—  
*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Coates, Kinne and Turner were absent on leave, and Messrs. Dyckman, Ferrington, Goodell, Seymour and Truesdell were absent without leave.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Detroit, March 10, 1847. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for the payment of George A. Robinson.

Also, an act to authorize the minor heirs of the late Martha Town, deceased, to release their claims to a certain tract of land.

Also, joint resolution relative to furnishing legislative documents to the British Museum.

Also, an act relative to certain transcribed records of the county of Livingston.

Also, joint resolution relative to the transmission of documents to Alexander Vattemare, of Paris.

Also, an act to extend the time for the collection of certain taxes in the township of Saginaw in the county of Saginaw.

Also, an act to authorize the register of deeds of the county of Macomb to amend the record of the village plat of the village of Romeo.

WM. L. GREENLY.

The Speaker announced the following message from the Senate:

SENATE CHAMBER, }  
Detroit, March 19, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit "joint resolution relative to a loan of money to the trustees of the Wesleyan Seminary



at Albion," which the Senate have adopted and in which the concurrence of the House is respectfully requested.

Your obedient servant,

JAMES E. PLATT,

*Secretary of the Senate.*

The Senate joint resolution relative to a loan of money to the trustees of the Wesleyan Seminary at Albion, was read twice and referred to the committee on ways and means.

The Speaker announced the following communication :

SENATE CHAMBER. }  
Detroit, March 10, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the concurrent resolution fixing the day for the Legislature to adjourn *sine die*, and to respectfully inform you that the Senate have concurred therein with amendments in which they respectfully ask the concurrence of the House.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

Mr. Britain moved to lay on the table the concurrent resolution fixing the day for this Legislature to adjourn *sine die*, which motion was lost by the following vote :

YEAS.

Mr. Bell,  
Britain,  
Brooks,  
Clark,

Mr. Davison,  
Harris,  
Haydon,  
Jennings,

Mr. O'Malley,  
D. Pierce,  
C. H. Taylor,  
Speaker, 12

NAYS.

Mr. Adam,  
Arzeno,  
Barker,  
Brown,  
Chubb,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,

Mr. Goodrich,  
Goodyear,  
Hebard,  
Harrington,  
Hollister,  
Johnson,  
Jones,  
Kelsey,  
Knight,  
Lomis,  
Makley,  
Marantette,

Mr. G. W. Moore,  
Noble,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Seeley,  
Shaw,  
Shook,  
H. W. Taylor,  
Throop,  
Truesdell,

Faxon,  
Fralick,  
Glen,

McFarlan,  
McGraw,  
Miller,

Upton,  
Van Duser,  
Walker, 45

Mr. Harris moved that the consideration of the concurrent resolution be postponed until Saturday next; pending which,

Mr. J. D. Pierce moved the previous question, which was sustained, and the main question was ordered to be now put.

The main question being on concurring in the Senate amendments, they were concurred in.

On motion of Mr. Throop,

The joint resolutions relative to the public lands and the patronage of the general government, were taken from the table.

The question being on their passage, they were passed.

Mr. Britain, from the committee on harbors, reported back the bill to improve the navigation of the St. Joseph river, amended in accordance with instructions of the House.

Mr. Truesdell moved that the further consideration of the bill be indefinitely postponed, which motion was lost by yeas and nays as follows:

#### YEAS.

Mr. Adam,  
Chubb,  
Clark,  
Deming,  
Eaton,  
Fralick,  
Goodyear,  
Haydon,

Mr. Harrington,  
Jennings,  
Knight,  
Lomis,  
Makley,  
McFarlan,  
H. Mower,  
D. Pierce,

Mr. J. D. Pierce,  
Price,  
Renwick,  
Shook,  
Throop,  
Truesdell,  
Walker, 23

#### NAYS.

Mr. Arzeno,  
Barker,  
Bell,  
Britain,  
Brooks,  
Brown,  
Culver,  
Driggs,  
Dyckman,  
Edmunds,

Mr. Glen,  
Goodrich,  
Goodwin,  
Harris,  
Hebard,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Marantette,

Mr. Miller,  
G. W. Moore,  
Noble,  
O'Malley,  
Pond,  
Shaw,  
C. H. Taylor,  
Turner,  
Speaker, 29

The question being on ordering the bill to be engrossed and read the third time, it was decided in the negative by the following vote:

YEAS.

Mr. Arzeno,  
Barker,  
Bell,  
Britain,  
Brooks  
Brown,  
Culver,  
Driggs,  
Dyckman,  
Edmunds.

Mr. Faxon,  
Glen,  
Goodrich,  
Goodwin,  
Harris,  
Hollister,  
Johnson,  
Jones,  
Kelsey,

Mr. Kilborn,  
Marantette,  
G. W. Moore  
H. Mower.  
O'Malley,  
Shaw,  
C. H. Taylor,  
Upton,  
Speaker,

28

NAYS.

Mr. Adam  
Chubb,  
Clark,  
Davison,  
Deming,  
Eaton,  
Fralick,  
Goodyear,  
Haydon,  
Hebard,

Mr. Harrington,  
Jennings,  
Knight,  
Lomis,  
Makley,  
McFarlan,  
McGraw,  
Miller,  
Noble,  
D. Pierce,

Mr. J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Shook,  
H. W. Taylor,  
Throop,  
Truesdell,  
Walker,

29

On motion of Mr. H. Mower,

*Resolved*, That the committee on state affairs be instructed to inquire how many extra copies of the revised statutes of 1846 have been published by the contractors for public printing, and sold, and at what price they have been sold, and are now selling, and for whose benefit, and by what authority they are sold, and report the same to the House.

On motion of Mr. C. H. Taylor,

The petition of Thomas Heeley Forrester Barstow, for a change of name, was recommitted to the committee on the judiciary.

Mr. Price, from the committee on engrossment and enrollment, [reported as correctly engrossed,

A bill to amend the revised statutes of 1846, in relation to the assignment of dower ;

A bill to authorize the administrator of the estate of Nehemiah O. Sargent to grant the right of way for a canal through lands on Grand River ;

A bill to organize certain townships in the counties of Marquette, Houghton, Schoolcraft and Ontonagon ;

A joint resolution relative to a settlement of a claim of Edward D. Ellis and William H. H. Briggs ; and

A joint resolution relative to bonds and mortgages given to secure loans from the university and school funds.

The House then resolved itself into committee of the whole on the general order, Mr. Edmunds in the chair.

After some time, the committee rose and by their chairman reported back to the House without amendment, a bill to incorporate the Dexter and Lansing plank road company.

The committee also reported back with amendments, in which the concurrence of the House was asked,

A bill to authorize the board of supervisors of the county of Wayne to rebuild the draw bridge over the River Rouge, on the territorial (now state) road between Detroit and Monroe, by the way of Flat Rock ;

A bill to incorporate the Byron and Portland plank road company ;

A bill to provide for the removal of the seat of government of this state ; and

A joint resolution relative to maps and profiles of the Northern Railroad.

The amendment, striking out all after the enacting clause, to the bill to authorize the board of supervisors of the county of Wayne to re-build the draw bridge over the river Rouge on the territorial (now state) road between Detroit and Monroe, by the way of Flat Rock, was concurred in by the House, and the further consideration of the enacting clause was indefinitely postponed.

The amendment to the joint resolution relative to maps and profiles of the northern railroad, was concurred in, and the joint resolution ordered to be engrossed for a third reading.

The House then took up the bill to incorporate the Dexter and Lansing plank road company, and

On motion of Mr. Adam,

All after the word "act" in the twenty-first section was stricken out.

On motion of Mr. Goodwin,

The following was added to stand as an independent section :

"Sec. 22. The said company shall pay into the state treasury, in December of each year, five mills on a dollar on all the capital stock paid in, and on all loans for constructing said road."

On motion of Mr. Noble,

The following was added to stand as an independent section :

“Sec. 28. The stockholders of said company shall be personally liable for all the debts of said company, after the corporate property is exhausted.”

The bill was then ordered to be engrossed and read the third time.

The amendments made in committee of the whole to the bill to provide for the removal of the seat of government, were concurred in by the House.

Mr. Adam moved to add the following to stand as section seven :

“Sec. 7. In case the commissioner shall select a site for the capitol upon the school section, or other lands belonging to the state, in said township of Lansing, the sum of ten thousand dollars shall be, and is hereby appropriated for the purpose of erecting temporary state buildings, which shall be expended under the direction of the Executive, in such manner as he shall deem most advantageous.”

Which motion prevailed by the following vote :

#### YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Culver,  
Darrah,  
Davison,  
Deming,  
Dyckman,  
Faxon,  
Glen,

Mr. Goodrich,  
Harris,  
Haydon,  
Hebard,  
Hollister,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Makley,

Mr. Miller,  
H. Mower,  
Pond,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
Upton,  
Van Duser,  
Walker,  
Speaker,

34

#### NAYS.

Mr. Barker,  
Brooks,  
Chubb,  
Clark,  
Eaton,  
Edmunds,  
Fralick,  
Goodwin,

Mr. Goodyear,  
Harrington,  
Jennings,  
Lomis,  
McFarlan,  
McGraw,  
G. W. Moore,  
Noble,

Mr. J. D. Pierce,  
D. Pierce,  
Price,  
Renwick,  
H. W. Taylor,  
Throop,  
Truesdell,

28

On motion of Mr. Johnson,

The following was added to section four:

“And which said temporary buildings, the said commissioner shall cause to be erected and prepared for use, by the twenty-fifth day of

December next, in case the same are not erected and prepared by some other person or persons."

On motion of Mr. Johnson,

Section five was stricken out and the following inserted :

"Sec. 5. That the act entitled an act to locate the Capitol pursuant to section nine of article twelve of the constitution of this state, shall take effect and be in force from and after the twenty-fifth day of December next, at which time the offices required by section eight of article — — of the constitution of this state, shall be removed from the city of Detroit, with all the books, records and papers there-to belonging, to the village of Houghton, in the township of Lansing aforesaid, at which place the next legislature shall meet."

On motion of Mr. Johnson,

The bill was committed to a select committee of five, with instructions to strike out "one commissioner," and insert "three commissioners," in the first section, and to revise and report it complete.

The Speaker appointed as such committee, Messrs. Johnson, Adam, Upton, Goodrich and Edmunds.

On motion of Mr. Edmunds,

The bill to incorporate the Byron and Portland plank road company, was committed to a select committee with general instructions.

On motion of Mr. Truesdell.,

The House adjourned.

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*Thursday, March 11, 1847.*

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Coates, Kinne and Turner were absent on leave, and Messrs. Barker, Darrah, Eaton, Goodell, Goodwin, Harrington, McFarlan, H. Mower and Seymour were absent without leave.

Mr. Kilborn asked and obtained leave of absence for Mr. Goodell for an indefinite period.

Mr. Miller presented the petition of H. A. Campbell and thirt y

two others, relative to the location of the capitol. Laid on the table.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to amend the revised statutes of 1846, concerning the assessment and collection of taxes ;

A bill to incorporate the Dexter and Lansing Plank Road Company ;

A bill to incorporate the Tecumseh and Lansing Plank Road Company ; and

A joint resolution relative to maps and profiles of the Northern Rail Road.

Mr. Adam, from the committee on ways and means, reported back without amendment and recommended its passage, the Senate joint resolution relative to a loan of money to the trustees of the Wesleyan Seminary at Albion ; which report was accepted, the committee discharged from the further consideration of the subject, and the joint resolution referred to the committee of the whole and placed on the general order.

Mr. Noble, from the committee on the judiciary, reported back the petition of Thomas Heely Forrester Barstow, for a change of name, and reported adverse to the prayer of the petition, which report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Goodwin, from the committee on state affairs, reported back the joint resolution relative to the publication of the geological survey of Michigan, together with a substitute therefor, and the joint resolution and substitute, being a bill, were referred to the committee of the whole and placed on the general order.

Mr. Goodwin, from the same committee, to whom was referred sundry reports relative to the state prison, reported a bill to amend chapter one hundred and seventy-two of the revised statutes of 1846, relative to the state prison, which he reported as a substitute for the bill to provide for the government and discipline of the state prison, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Goodwin, from the same committee, also reported a joint resolution relative to building expenses at the state prison, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Glen, from the committee on public lands, reported back the bill to provide for the relief of purchasers of university and primary school lands, amended in accordance with the instructions of the House, and the bill and amendments were referred to the committee of the whole and placed on the general order.

Mr. Hebard, from the committee on roads and bridges, reported a joint resolution relative to the surveys of the United States military roads within this state, which was read twice, ordered to be engrossed and read the third time.

On motion of Mr. Adam,

The rule was suspended to enable the joint resolution to be read the third time to-day.

Mr. Price, from the committee on engrossment and enrollment, reported the joint resolution as correctly engrossed.

Mr. Johnson, from the select committee, to whom was referred the bill to provide for the removal of the seat of government of this state, with instructions, reported the same back amended in accordance with the instructions of the House, and the amended bill was referred to the committee of the whole, placed on the general order and ordered to be printed.

Mr. Upton, from the select committee, to whom was referred the bill to incorporate the Byron and Portland Plank Road Company, reported a substitute therefor, entitled a bill to incorporate the Portland and Shiawassee Plank Road Company, which bill was referred to the committee of the whole and placed on the general order.

The following communication was received from the Senate :

SENATE CHAMBER,  
Detroit, March 10, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to respectfully inform the House that the Senate have concurred in the House amendments to the “bill to incorporate the White Pigeon Academy,” and have ordered the bill as amended to be enrolled.

Also to respectfully inform you that the Senate have concurred in the House amendments to the “bill to amend an act entitled an act to authorize William H. Cross and Seth C. Hanchett to erect a dam across the St. Joseph River, in the county of St. Joseph,” approved



February 17, 1846, and have ordered the same as amended to be enrolled.

Also to return the "bill to amend an act entitled an act to incorporate the city of Monroe," and the "bill for the relief of Henry Willis," and to respectfully inform you that the Senate have concurred therein with amendments, in which they respectfully ask the concurrence of the House.

Also to return the "bill to provide for laying out and establishing several state roads," and to respectfully inform you that the Senate have nonconcurred therein.

Also to return the "bill to provide for the preservation of the laws of this state," and to respectfully inform you that the Senate have non-concurred in the first House amendment, and have concurred in the 2nd and 3rd amendments.

Also to return the "bill to continue in force an act to authorize the appointment of commissioners to take the acknowledgment of deeds and instruments of writing under seal out of the state," and to respectfully inform you that the Senate have concurred in the first House amendment thereto, and also in the second amendment with an amendment, in which they respectfully ask the concurrence of the House.

Your obedient servant,

JAMES E. PLATT,  
*Sec'y. of Senate.*

The Senate amendments to the bill to amend an act entitled an act to incorporate the city of Monroe, and to the bill for the relief of Henry Willis, were severally concurred in by the House, and the bills as amended ordered to be enrolled.

The Senate amendment to the second House amendment to the bill to continue in force an act to authorize the appointment of commissioners to take the acknowledgment of deeds and instruments of writing under seal out of the state, was concurred in.

On motion of Mr. Goodwin,

The House insisted on their first amendment to the senate bill to provide for the preservation of the laws of this state, and a committee of conference was ordered to be appointed on the disagreement between the two Houses on the bill.

The Speaker appointed as such committee, Messrs. Goodwin, Adam and Throop.

Mr. Adam moved a reconsideration of the vote by which the House yesterday concurred in the Senate amendments to the concurrent resolution fixing the day for this legislature to adjourn *sine die*.

Mr. Bell moved to lay the motion to reconsider on the table, which motion prevailed by the following vote :

## YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Clark,  
Darrah,  
Deming,  
Dyckman,  
Faxon,

Mr. Glen,  
Goodrich,  
Harris,  
Haydon,  
Hebard,  
Hollister,  
Jennings,  
Kilborn,  
Makley,  
Marantette,

Mr. Miller,  
Noble,  
Pond,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
Upton,  
Walker,  
Speaker, 30

## NAYS.

Barker,  
Brooks,  
Chubb,  
Davison,  
Edmunds,  
Ferrington,  
Fralick,  
Goodwin,  
Goodyear,

Mr. Johnson,  
Knight,  
Lomis,  
McGraw,  
G. W. Moore,  
H. Mower,  
O'Malley,  
D. Pierce,

Mr. J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
H. W. Taylor,  
Throop,  
Truesdell,  
Van Duser,

25

The bill to incorporate the Dexter and Lansing plank road company was read the third time and passed by yeas and nays as follows :

## YEAS.

Mr. Adam,  
Bell,  
Britain,  
Brown,  
Clark,  
Culver,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,  
Goodrich,

Mr. Harris,  
Harrington,  
Jennings,  
Johnson,  
Kelsey,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
Marantette,  
McGraw,  
Miller,  
H. Mower,

Mr. O'Malley,  
D. Pierce,  
Pond,  
Renwick,  
Seeley,  
Shook,  
C. H. Taylor,  
Truesdell,  
Upton,  
Van Duser,  
Walker,  
Speaker,

38

## NAYS.

Mr. Arzeno,  
Darrah,

Mr. Goodwin,  
Goodyear,

Mr. G. W. Moore,  
Noble,

Davis n,  
Ferrington,  
Fralick,  
Glen,

Haydon,  
Hollister,  
Jones,  
McFarlan,

J. D. Pierce,  
Price,  
H. W. Taylor,  
17

The question being on the title,

Mr. Goodwin moved to amend the same by striking out 'Lansing,' and inserting 'Lyons,' which motion was lost.

Mr. Eaton moved to strike out 'Lansing' and inserting 'Houghton,' which motion was lost, and the original title was agreed to.

The bill to incorporate the Tecumseh and Lansing plank road company, was read the third time, and

On motion of Mr. H. Mower,

Recommitted to the committee on banks and incorporations, with instructions to insert the personal liability clause.

The joint resolution in relation to bonds and mortgages given to secure loans from the university and school funds, was read the third time and passed by the following vote :

YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Dyckman,  
Faxon,

Mr. Glen,  
Goodwin,  
Goodyear,  
Harris,  
Harrington,  
Hollister,  
Jones,  
Kilborn,  
Makley,  
Marantette,

Mr. Miller,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Walker,

31

NAYS.

Mr. Barker,  
Chubb,  
Clark,  
Edmunds,  
Ferrington,  
Fralick,  
Goodrich,  
Haydon,

Mr. Jennings,  
Johnson,  
Kelsey,  
Knight,  
Lomis,  
McFarlan,  
McGraw,  
G. W. Moore,

Mr. H. Mower,  
Noble,  
D. Pierce,  
Renwick,  
Seeley,  
Truesdell,  
Speaker,

23

The bill to amend the revised statutes of 1846, concerning the assessment and collection of taxes ;

The bill to organize certain townships in the counties of Marquette, Houghton, Schoolcraft, and Ontonagon;

The bill to authorize the administrator of the estate of Nehemiah

O. Sargeant, to grant the right of way for a canal through lands on Grand River ;

The bill to amend the revised statutes of 1846, in relation to the assignment of dower ;

The bill in regard to the recorded plat of the eastern addition to the village of Adrian ;

The joint resolution relative to the settlement of a claim of Edward D. Ellis and William H. H. Briggs ;

The joint resolution relative to maps and profiles of the northern railroad, and

The joint resolution relative to the surveys of the military roads within the state,

Were severally read the third time and passed.

Mr. Johnson, from the committee on banks and incorporations, reported back the bill to incorporate the Tecumseh and Lansing plank road company, amended in accordance with the instructions of the House and the bill was passed by a two-thirds vote :

#### YEAS.

Mr. Adam,	Mr. Hollister,	Mr. O'Malley,	
Bell,	Jennings,	D. Pierce,	
Britain,	Johnson,	Pond,	
Brown,	Jones,	Renwick,	
Chubb,	Kelsey,	Seeley,	
Culver,	Kilborn,	Shaw,	
Deming,	Knight,	Shook,	
Driggs,	Lomis,	C. H. Taylor,	
Dyckman,	Makley,	Truesdell,	
Faxon,	Marantette,	Upton,	
Goodrich,	McGraw,	Van Duser,	
Goodwin,	Miller,	Walker,	
Harris,	H. Mower,	Speaker,	39
	NAYS.		

Mr. Arzeno,	Mr. Ferrington,	Mr. G. W. Moore,	
Barker,	Fralick,	Noble,	
Clark,	Glen,	J. D. Pierce,	
Darrah,	Goodyear,	Price,	
Davison,	Haydon,	H. W. Taylor,	
Eaton,	McFarlan,	Throop,	18

Mr. Price, from the committee on engrossment and enrollment, reported that the following bills were correctly enrolled, and were this day presented to the governor for his approval, viz :

A bill for the relief of Henry Willis, and

A bill to amend an act entitled an act to incorporate the city of Monroe

The House then resolved itself into committee of the whole on the general order, Mr. Fralick in the chair.

After some time the committee rose and by their chairman reported back to the house without amendment,

A joint resolution relative to building expenses on state prison; and

A joint resolution relative to a loan of money to the Trustees of the Wesleyan Seminary at Albion.

The committee also reported back with amendments in which the concurrence of the House was asked,

A bill to provide for the government and discipline of the state prison;

A bill to provide for the relief of purchasers of university and primary school lands; and

Joint resolutions relative to the publication of the geological survey of Michigan.

On motion of Mr. J. D. Pierce,

The House adjourned.

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*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Coates, Goodell, Kinné and Turner were absent on leave, and Messrs. Brooks, Chubb, Edmunds, Ferrington, Goodwin, Hebard, Jones, Makley, McFarlan, Noble, O'Malley, Pond, Renwick, Truesdell and Walker, were absent without leave.

The House then resumed the consideration of the bill for the relief of purchasers of university and primary school lands, and the question being on concurring in the amendment made in committee of the the whole, striking out all after the enacting clause, it was non-concurred in by the following vote:

YEAS.

Mr. Adam,  
Arzeno,  
Clark,  
Darrah,  
Davison,

Mr. Fralick,  
Harris,  
Harrington,  
Hollister,  
Jennings,

Mr. Price,  
Shaw,  
Shook,  
Throop,  
Upton,

Deming,  
Dyckman,  
Eaton,

Knight,  
G. W. Moore,

Van Duser,  
Speaker,

22

## NAYS.

Mr. Barker,  
Bell,  
Britain,  
Brown,  
Culver,  
Driggs,  
Faxon,  
Glen,  
Goodrich,

Mr. Goodwin,  
Goodyear,  
Haydon,  
Johnson,  
Kelsey,  
Kilborn,  
Lomis,  
Marantette,

Mr. McGraw,  
Miller,  
H. Mower,  
J. D. Pierce,  
Seeley,  
Seymour,  
C. H. Taylor,  
H. W. Taylor,

25

Mr. Fralick moved to lay the bill on the table, which motion was lost, and the bill was ordered to be engrossed and read the third time.

The bill to provide for the government and discipline of the state prison, was then taken up, and the question being on concurring in the substitute, being the bill to amend chapter one hundred and seventy-two of the revised statutes of 1846, relative to the state prison; the first section of the substitute was amended,

On motion of Mr. Johnson,

By inserting "and sixty-five" before "dollars."

The substitute was then adopted, and ordered to be engrossed for a third reading.

The joint resolution relative to the publication of the geological survey of Michigan, was then taken up, and the question being on concurring in the substitute therefor, being a bill to provide for the publication of the final geological survey of the state of Michigan;

Pending which,

Mr. Truesdell moved to strike out all after the enacting clause of the substitute which motion prevailed by yeas and nays as follows;

## YEAS.

Mr. Adam,  
Barker,  
Bell,  
Chubb,  
Clark,  
Darrah,  
Davison,  
Deming,  
Driggs,

Mr. Fralick,  
Goodrich,  
Goodyear,  
Harris,  
Hollister,  
Jennings,  
Kelsey,  
Kilborn,  
Lomis,

Mr. H. Mower,  
D. Pierce,  
Pond,  
Price,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,

Eaton,  
Faxon,  
Ferrington,

Makley,  
Marantette,  
McGraw,

Truesdell,  
Upton,  
Speaker,

36

## NAYS.

Mr. Arzeno,  
Brittain,  
Brooks,  
Culver,  
Dyckman,  
Edmunds,  
Goodwin,

Mr. Haydon,  
Johnson,  
Knight,  
McFarlan,  
Miller,  
G. W. Moore,  
Noble,

Mr. J. D. Pierce,  
Renwick,  
Seymour,  
H. W. Taylor,  
Van Duser,  
Walker,

20

And the further consideration of the enacting clause was indefinitely postponed.

Mr. Seymour moved that the original joint resolution be laid on the table, which motion was lost, and

On motion of Mr Johnson,

Its further consideration was indefinitely postponed.

The joint resolution relative to a loan of money to the trustees of the Wesleyan Seminary at Albion, was ordered to be read the third time.

The joint resolution relative to building expenses at the state prison, was ordered to be engrossed and read the third time.

On motion of Mr. Deming,

*Resolved*, That no member shall speak more than ten minutes on any one subject in the House or in committee of the whole during the remainder of the session.

Mr. H. W. Taylor offered the following resolution :

*Resolved*, That the committee on the judiciary are hereby instructed to inquire into the right of the members of the present legislature to receive any compensation for their services since the expiration of the first sixty days of this session, and to report by bill or otherwise.

Mr. Eaton moved to lay the resolution on the table, which motion was lost.

Mr. Haydon moved to amend by striking out all after "instructed" and inserting "to bring in a bill to pay the members of the legislature their usual per diem allowance for the rest of the session," pending which,

Mr. Noble moved that the further consideration of the whole sub-

ject be indefinitely postponed, which motion was lost by the following vote :

## YEAS.

Mr. Adam,  
Arzeno,  
Britain,  
Brooks,  
Chubb,  
Darrah,  
Eaton,

Mr. Edmunds,  
Ferrington,  
Fralick,  
Harrington,  
Jennings,  
Kelsey,  
Kilborn,

Mr. Noble,  
D. Pierce,  
Renwick,  
Throop,  
Truesdell,  
Van Duser,  
Walker,

21

## NAYS.

Mr. Barker,  
Bell,  
Brown,  
Clark,  
Culver,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Faxon,  
Goodwin,  
Goodyear,

Mr. Harris,  
Haydon,  
Hebard,  
Hollister,  
Johnson,  
Knight,  
Lomis,  
Makley,  
McFarlan,  
McGraw,  
Miller,  
G. W. Moore,

Mr. H. Mower,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
H. W. Taylor,  
C. H. Taylor,  
Upton,  
Speaker,

36

The question then recurring on the motion to amend made by Mr. Haydon, it was lost by yeas and nays as follows :

## YEAS:

Mr. Arzeno,  
Bell,  
Brown,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Eaton,

Mr. Faxon,  
Harris,  
Haydon,  
Hebard,  
Kilborn,  
Knight,  
Lomis,  
Makley,  
McFarlan,

Mr. McGraw,  
Miller,  
G. W. Mower,  
Price,  
Seeley,  
Seymour,  
Shook,  
C. H. Taylor,  
Upton,

27

## NAYS.

Mr. Adam  
Barker,  
Britain,  
Brooks,  
Chubb,  
Clark,  
Dyckman,  
Edmunds,  
Ferrington,  
Fralick,  
Goodrich,

Mr. Goodwin,  
Goodyear,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Kelsey,  
H. Mower,  
Noble,  
D. Pierce,

Mr. J. D. Pierce,  
Pond,  
Renwick,  
Shaw,  
H. W. Taylor,  
Throop,  
Truesdell,  
Van Duser,  
Walker,  
Speaker,

31

On motion of Mr. Britain,



The resolution was amended by striking out "ways and means," and inserting "judiciary."

The resolution as amended was then adopted.

Mr. Truesdell offered the following resolution:

*Resolved*, That the committee on claims be instructed to inquire what appropriations, if any, of a general or specific character, are necessary to meet the current expenses of the year 1847, and to report by bill or otherwise without further delay.

On motion of Mr. Johnson,

The resolution was laid on the table.

The House then resolved itself into committee of the whole, on the general order, Mr. Eaton in the chair.

After some time the committee rose, and by their chairman reported back to the House without amendment, the bill making appropriations for the salaries of state officers for the year 1847.

The committee also reported back with amendments, in which the concurrence of the House was asked, a bill to provide for the removal of the seat of government of this state.

The bill making appropriations for the salaries of state officers for the year 1847, being before the House,

Mr. Noble moved to add to section one, the following: "and two hundred dollars is hereby appropriated for the use of the superintendent of public instruction, in addition to his salary as fixed by law."

Mr. Goodwin moved to amend the amendment by adding thereto, "and five hundred dollars for the use of the auditor genral," which motion was lost, and the original amendment was then rejected.

On motion of Mr. Adam,

The sixth line of section one was amended by inserting "for the salary of the secretary of state, eight hundred dollars," after the word "each."

The bill was then ordered to be engrossed and read the third time.

The amendments made in committee of the whole to the bill to provide for the removal of the seat of government of this state, were concurred in, in gross.

Mr. H. W. Taylor moved to amend section two by striking out all of the section to and including the word "buildings," in the sixth line and inserting in lieu thereof as follows:

"The seat of government for this state shall be, on and after the first day of November, 1847, on the northeast quarter of section nine in town four north of range two west, in the town of Lansing, and John S. Barry, Origen D. Richardson, and William Woodbridge are hereby appointed commissioners, whose duty it shall be, before the first day of May next, to proceed into the township of Lansing, in the county of Ingham, and to select and designate an eligible site for the erection of buildings for the capitol and state offices of the state, of not less than twenty acres of land, situated in the south west quarter of the north east quarter of section, nine in town four north of range two west,"

A division of the question being called for, it was first taken on striking out, and lost by yeas and nays as follows :

## YEAS.

Mr. Barker,  
Brooks,  
Clark,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,

Mr. Goodyear,  
Harrington,  
Lomis,  
McFarlan,  
McGraw,  
G. W. Moore,  
H. Mower,

Mr. J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
H. W. Taylor,  
Throop,  
Truesdell,

22

## NAYS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Dyckman,  
Glen,  
Goodrich,

Mr. Goodwin,  
Harris,  
Haydon,  
Hebard,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Makley,

Mr. Miller,  
Noble,  
D. Pierce,  
Pond,  
Shaw,  
Shook,  
C. H. Taylor,  
Upton,  
Van Duser,  
Walker,  
Speaker,

35

Mr. H. W. Taylor moved to fill the blank in section four, designating the name of the village with the word "Bushridge," which motion was lost.

Mr. Fralick moved to amend the fifth line of section one, by striking out "forty-seven," and inserting "fifty," pending which,

Mr. Pond moved that the House adjourn until seven o'clock, which motion was lost, and

On motion of Mr. J. D. Pierce,  
The House adjourned.

*Friday, March 12, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Coates, Kinne and Turner, were absent on leave, and Messrs. Barker, Britain, Driggs, Edmunds, Goodrich, Goodwin, Noble and Van Duser were absent without leave.

Mr. Harris presented the remonstrance of citizens of Kent county, against a division of the township of Walker, in said county. Laid on the table.

Mr. Johnson presented the petition of Addison J. Cook and others, for the extension of the charter of the Farmers' and Mechanics' Bank of Michigan. Laid on the table.

Mr. H. W. Taylor, from the committee on the state library, submitted the following report, which was accepted, accompanied by a bill :

“ The committee on the state library, to whom was referred a resolution instructing them to inquire into the expediency of authorizing the secretary of state to exchange extra copies of the laws of this state with the booksellers of this state for their books, to be placed by him in the state library, respectfully report :

That there are in the library about 200 copies of the session laws of 1842,—300 of 1844—400 of 1845, and 1000 of those of 1846 ; and of the revised statutes of 1838, about 800 copies. Of those of the last revision of 1846, your committee are informed that about 2000 copies have been disposed of, leaving 4000 in the possession of the state. The value of these books is transitory. The revision of 1838 is worth little or nothing. The session laws previous to 1846, are of as little value. The statutes of 1846, as revised, are of more value now than they will ever be hereafter. It is very desirable, too, that all persons who want should be able to obtain copies of them, and as your committee are advised that the whole edition belongs to the state, it seems impossible that the just wants of the people can be supplied, unless these copies are put up for sale in some form.

Your committee therefore recommend a sale or exchange of a portion of them, and to effect that object, they respectfully submit the following bill :”

The bill to dispose of certain statute books of this state, was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Goodwin, from the committee on state affairs, to whom had been referred the report of the joint committee on the state prison, and the affidavits and report of the inspectors of the state prison, submitted a joint report drawn up by the committees on state affairs of the two Houses, which was read, accepted, and the committee discharged from the further consideration of the subject.

On motion of Mr. Miller.

The report was laid on the table and ordered to be printed.

Mr. Fralick, from the committee on claims, reported a bill making appropriations to defray certain expenses authorized for the year 1847, which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Adam, from the committee on ways and means, reported back with an amendment, and recommended its passage, the Senate bill to provide for the adjustment of the mortgage held by the state upon the Detroit and Pontiac railroad, which report was accepted, the committee discharged from the further consideration of the subject, and the bill and amendment referred to the committee of the whole, and placed on the general order.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill making appropriations for the salaries of state officers for the year 1847 ;

A bill to provide for the relief of purchasers of university and primary school lands ;

A bill to amend chapter one hundred and seventy-two of the revised statutes of 1846, relative to the state prison ; and

Joint resolution relative to building expenses at the state prison.

Mr. Barker moved to take from the table the motion to reconsider the vote by which the House concurred in the Senate amendments to the concurrent resolution fixing the day for this legislature to adjourn *sine die*, which motion was lost by the following vote :

YEAS.

Mr. Barker,  
Brooks;

Mr. Goodyear,  
Harrington,

Mr. Price,  
Renwick, •

Dyckman,  
Edmunds,  
Ferrington,  
Fralick,

Johnson,  
Lomis,  
H. Mower,

H. W. Taylor,  
Throop,  
Truesdell,

16

NAYS.

Mr. Adam,  
Arzeno,  
Bell,  
Brown,  
Chubb,  
Clark,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Eaton,  
Faxon,  
Glen,  
Goodell,

Mr. Goodrich,  
Harris,  
Haydon,  
Hebard,  
Hollister,  
Jennings,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Makley,  
Marantette,  
McFarlan,  
McGraw,  
Miller,

Mr. G. W. Moore,  
Noble,  
O'Malley,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
Upton,  
Van Duser,  
Walker,  
Speaker, 45

Mr. Bell gave notice that on some future day he should ask leave to introduce a bill to amend an act entitled an act to provide for the payment of the members of the legislature, approved January 15, 1847.

The bill making appropriations for the salaries of state officers for the year 1847, and

The joint resolution relative to a loan of money to the trustees of the Wesleyan Seminary at Albion,

Were severally read the third time and passed.

The bill to provide for the relief of purchasers of university and primary school lands, was read the third time, when

Mr. Deming moved the previous question, which was sustained, and the main question was ordered to be now put by the following vote:

YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Brooks,  
Brown,  
Clark,  
Culver,  
Davison,  
Deming,  
Dyckman,

Mr. Goodell,  
Goodrich,  
Goodyear,  
Harris,  
Hebard,  
Harrington,  
Hollister,  
Johnson,  
Kelsey,  
Kilborn,

Mr. McGarlan,  
McGraw,  
Miller,  
G. W. Moore,  
H. Mower,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,

Eaton,  
Ferrington,  
Fralick,  
Glen,

Knight,  
Lomis,  
Makley,  
Marantette,

Shaw,  
Shook,  
Upton,  
Van Duzer, 42

### NAYS.

Mr. Barker,  
Britain,  
Chubb,  
Driggs,  
Edmunds,

Mr. Haydon,  
Renwick,  
Seymour,  
C. H. Taylor,  
H. W. Taylor,

Mr. Throop,  
Truesdell,  
Walker,  
Speaker, 14

The main question, being on the passage of the bill, it was not passed by yeas and nays as follows :

### YEAS.

Mr. Arzeno,  
Barker,  
Bell,  
Britain,  
Culver,  
Driggs,  
Dyckman,  
Ferrington,  
Glen,

Mr. Goodrich,  
Goodwin,  
Harris,  
Haydon,  
Hebard,  
Kelsey,  
Kilborn,  
Marantette,  
McGraw,

Mr. Miller,  
H. Mower,  
J. D. Pierce,  
Seymour,  
Shaw,  
C. H. Taylor,  
H. W. Taylor,  
Upton, 26

### NAYS.

Mr. Adam,  
Brooks,  
Chubb,  
Clark,  
Darrah,  
Davison,  
Deming,  
Eaton,  
Edmunds,  
Fralick,  
Goodell,

Mr. Goodyear,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Knight,  
Lomis,  
Makley,  
McFarlan,  
G. W. Moore,  
Noble,

Mr. D. Pierce,  
Pond,  
Price,  
Renwick,  
Seeley,  
Shook,  
Throop,  
Truesdell,  
Van Duser,  
Walker,  
Speaker, 33

The bill to amend chapter one hundred and seventy-two of the revised statutes of 1846, relative to the state prison, and

The joint resolution relative to building expenses at the state prison,

Were severally read the third time and passed.

### UNFINISHED BUSINESS.

The House then took up the bill to provide for the removal of the seat of government of this State, and the question being on the motion of Mr. Fralick to strike out of the fifth line of the first section, the words "forty-seven," and insert "fifty," when

Mr. Adam moved the previous question, which was sustained by the following vote :

YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Brown,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Dyckman,  
Faxon,  
Glen,

Mr. Goodell,  
Goodrich,  
Harris,  
Hebard,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Miller,

Mr. D. Pierce,  
Pond,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
Upton,  
Van Duser,  
Walker,  
Speaker,

32

NAYS.

Mr. Barker,  
Britain,  
Brooks,  
Chubb,  
Clark,  
Eaton,  
Edmunds,  
Ferrington,  
Fralick,

Mr. Goodwin,  
Haydon,  
Harrington,  
Lomis,  
Makley,  
McFarlan,  
McGraw,  
G. W. Moore,  
H. Mower,

Mr. Noble,  
J. D. Pierce,  
Price,  
Renwick,  
Seymour,  
H. W. Taylor,  
Throop,  
Truesdell,

26

The main question was ordered to be now put, by yeas and nays, as follows :

YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Brown,  
Culver,  
Darrah,  
Deming,  
Faxon,  
Goodell,  
Goodrich,

Mr. Harris,  
Hebard,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Makley,  
Miller,

Mr. Noble,  
D. Pierce,  
Pond,  
Shaw,  
Shook,  
C. H. Taylor,  
Upton,  
Van Duser,  
Walker,  
Speaker,

30

NAYS.

Mr. Barker,  
Britain,  
Brooks,  
Chubb,  
Clark,  
Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Ferrington,

Mr. Fralick,  
Glen,  
Goodwin,  
Goodyear,  
Haydon,  
Harrington,  
Lomis,  
McFarlan,  
McGraw,  
G. W. Moore,

Mr. H. Mower,  
J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
Seymour,  
H. W. Taylor,  
Throop,  
Truesdell,

29

Mr. Throop rose to address the chair, when

The Speaker decided that the effect of the last two votes was to bring the House to a direct vote, first, on the pending amendment, and then on ordering the bill to be engrossed for a third reading.

Mr. Throop appealed from this decision, when the decision was sustained by the House.

The question then being on the amendment moved by Mr. Fralick, it was lost by the following vote :

#### YEAS.

Mr. Brooks,  
Clark,  
Eaton,  
Edmunds,  
Ferrington,  
Fralick,

Mr. Haydon,  
Lomis,  
McFarlan,  
McGraw,  
G. W. Moore,

Mr. J. D. Pierce,  
Price,  
Seeley,  
Seymour,  
Throop,

16

#### NAYS.

Mr. Adam,  
Arzeno,  
Barker,  
Bell,  
Britain,  
Brown,  
Chubb,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Faxon,  
Glen,

Mr. Goodell,  
Goodrich,  
Goodwin,  
Goodyear  
Harris,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Makley,

Mr. Miller,  
H. Mower,  
Noble,  
D. Pierce,  
Pond,  
Renwick,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell,  
Van Duser,  
Walker,  
Speaker,

43

The main question being on ordering the bill to be engrossed and read the third time, it prevailed by yeas and nays, as follows:

#### YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,

Mr. Goodrich,  
Harris,  
Hebard,  
Hollister  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Makley,

Mr. H. Mower,  
Noble,  
D. Pierce,  
Pond,  
Seeley,  
Shaw,  
Shook,  
C. H. Taylor,  
Upton,  
Van Duser,



Faxon,  
Glen,  
Goodell,

McGraw,  
Miller,

Walker,  
Speaker,

37

## NAYS.

Mr. Barker,  
Brooks,  
Chubb,  
Clark,  
Dyckman,  
Eaton,  
Edmunds,  
Ferrington,

Mr. Fralick,  
Goodwin,  
Goodyear,  
Haydon,  
Harrington,  
Lomis,  
Marantette,  
McFarlan,

Mr. G. W. Moore,  
J. D. Pierce,  
Price,  
Renwick,  
Seymour,  
H. W. Taylor,  
Throop,  
Truesdell, 24

Mr. Deming, by unanimous consent, presented the claim of A. W. Adams, which was referred to the committee on claims :

The Speaker announced the following message from the Senate :

SENATE CHAMBER, }  
Detroit, March 12, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit herewith a "bill to incorporate the St. Mary's Canal Company," which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Your obedient servant,

JAMES E. PLATT,

*Secretary of the Senate.*

The Senate bill to incorporate the St. Mary's Canal Company, was read twice and referred to the committee on banks and incorporations.

Mr. Adam, from the committee of conference, on the disagreement between the two Houses on the joint resolution relative to the amount due the university fund from the county of Lenawee, reported the same back with the recommendation that the House do recede from their third amendment to the joint resolution; which report was accepted, and the committee discharged.

The House then concurred in the report of the committee, and receded from their third amendment.

On motion of Mr. Truesdell,

The House adjourned.

—  
*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Coates, Kinne and Turner were absent on leave, and Messrs. Brooks, Chubb, Driggs, Edmunds, Ferrington, Harrington, McFarlan, Noble, O'Malley, Pond, Renwick, C. H. Taylor, H. W. Taylor, Van Duser and Walker, were absent without leave.

Mr. Adam, by unanimous consent, introduced a bill to amend an act entitled an act to incorporate the Adrian Seminary, approved January 30, 1846, which was read twice, and ordered to be engrossed and read the third time.

On motion of Mr. Goodwin,

The rule was suspended to enable the bill to be read the third time to-day, and

The engrossment of the bill having been dispensed with, it was read the third time and passed by a two thirds vote, as follows :

#### YEAS.

Mr. Adam	Mr. Goodrich,	Mr. Marantette,	
Arzeno,	Goodwin,	McFarlan,	
Barker,	Goodyear,	Miller,	
Bell,	Harris,	H. Mower,	
Britain,	Haydon,	D. Pierce,	
Brown,	Hebard,	J. D. Pierce,	
Culver,	Hollister,	Price,	
Darrah,	Johnson,	Seeley,	
Davison,	Jones,	Seymour,	
Deming,	Kelsey,	Shaw,	
Dyckman,	Kilborn,	Shook,	
Eaton,	Knight,	Throope,	
Faxon,	Lomis,	Truesdell,	
Glen,	Makley,	Speaker,	
Goodell,			4 3

#### NAYS.

Mr. Clark,	Mr. Ferrington,	Mr. Jennings,	3
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Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to provide for the removal of the seat of government of this state.

The House then resolved itself into committee of the whole on the general order, Mr. Glen in the chair.

After some time the committee rose and by their chairman reported back with amendments, in which the concurrence of the House was asked,

A bill to provide for the adjustment of the mortgage held by the state upon the Detroit and Pontiac Railroad, and

A bill to incorporate the Portland and Shiawassee plank road company.

The amendments to the last named bill were concurred in, in gross, and the bill ordered to be engrossed and read the third time.

The amendments made in committee of the whole to the bill to provide for the adjustment of the mortgage held by the state upon the Detroit and Pontiac Railroad, were concurred in, in gross.

Mr. Edmunds moved to strike out all after the enacting clause of the bill, and insert the bill to be found on page 721 of the House journal of 1846, and after some discussion,

On motion of Mr. Edmunds,

The bill and amendment were referred to the committee on the judiciary.

The following communication was received from the Senate :

SENATE CHAMBER,  
Detroit, March 12, 1847.

To the Speaker of the House of Representatives :

SIR :—I am instructed by the Senate to transmit a "bill further to provide for the payment of the officers and members of the Legislature, and for other purposes," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Your obedient servant,

JAMES E. PLATT,

Sec'y of Senate.

The bill further to provide for the payment of the officers and members of the legislature, and for other purposes, was read twice, when

Mr. Harris moved to suspend the rules to enable the bill to be read the third time to-day, which motion prevailed by the following vote :

YEAS.

Mr. Arzeno,	Mr. Goodell,	Mr. Miller,
Bell,	Goodyear,	G. W. Motte,
Britain,	Harris,	H. Mower,
Brooks,	Haydon,	J. D. Pierce,
Brown,	Hebard,	Pond,
Clark,	Hollister,	Price,
Culver,	Johnson,	Seeley,
Darrah,	Kilborn,	Seymour,
Darwin,	Lewis,	Shap,

Deming,  
Driggs,  
Dyckman,  
Eaton,  
Faxon,

Makley,  
Marantette,  
McFarlan,  
McGraw,

Shook,  
Upton,  
Van Duser,  
Speaker,

40

## NAYS.

Mr. Adam,  
Barker,  
Chubb,  
Edmunds,  
Ferrington,  
Fralick,

Mr. Goodwin,  
Harrington,  
Jennings,  
Kelsey,  
Noble,  
D. Pierce,

Mr. Renwick,  
H. W. Taylor,  
Throop,  
Truesdell,  
Walker,

17

Mr. Darrah moved the previous question, which was sustained, and the main question was ordered to be now put by yeas and nays as follows :

## YEAS.

Mr. Arzeno,  
Bell,  
Britain,  
Brown,  
Clark,  
Culver,  
Darrah,  
Davis n,  
Deming,  
Driggs,  
Dyckman,  
Eaton,

Mr. Faxon,  
Goodell,  
Goodyear,  
Harris,  
Haydon,  
Hebard,  
Hollister,  
Kilborn,  
Lomis,  
Makley,  
Marantette,  
McFarlan,

Mr. McGraw  
Miller,  
G. W. Moore,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
Van Duser,

35

## NAYS.

Mr. Adam,  
Barker,  
Brooks,  
Chubb,  
Edmunds,  
Ferrington,  
Fralick,  
Goodwin,

Mr. Harrington,  
Jennings,  
Johnson,  
Kelsey,  
H. Mower,  
Noble,  
D. Pierce,

Mr. Renwick,  
H. W. Taylor,  
Throop,  
Truesdell,  
Upton,  
Walker,  
Speaker,

22

The bill was then ordered to be read the third time.

Mr. Renwick moved that the further consideration of the bill be indefinitely postponed, which motion was lost by the following vote :

## YEAS.

Mr. Adam,  
Barker,  
Britain,  
Brooke,

Mr. Fralick,  
Goodwin,  
Harrington,  
Jennings,

Mr. D. Pierce,  
Renwick,  
Throop,  
Truesdell,

Chubb,  
Edmunds,  
Ferrington,

Kelsey,  
H. Mower,  
Noble,

Van Duser,  
Walker,

20

NAYS.

Mr. Arzeno,  
Bell,  
Brown,  
Clark,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Faxon,  
Goodell,

Mr. Goodyear,  
Harris,  
Haydon,  
Hebard,  
Hollister,  
Johnson,  
Kilborn,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,

Mr. Miller,  
G. W. Moore,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
H. W. Taylor,  
Upton,  
Speaker,

37

The bill was then read the third time, when

Mr. Goodwin moved to commit it to the committee on ways and means with instructions to strike out the provision allowing three dollars per day, and insert a provision allowing one dollar per day which motion was lost.

Mr. Adam moved to commit the bill to the committee on ways and means with instructions to strike out all relative to mileage, which motion did not prevail.

The bill was then passed by the following vote:

YEAS.

Mr. Arzeno,  
Bell,  
Brown,  
Clark,  
Culver,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Eaton,  
Faxon,  
Goodell,

Mr. Goodyear,  
Harris,  
Haydon,  
Hebard,  
Hollister,  
Johnson,  
Jones,  
Kilborn,  
Lomis,  
Makley,  
Marantette,  
McFarlan,

Mr. McGraw,  
Miller,  
G. W. Moore,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
Upton,  
Speaker,

37

NAYS.

Mr. Adam,  
Barker,  
Britain,  
Brooks,

Mr. Fralick,  
Goodwin,  
Harrington,  
Jennings,

Mr. D. Pierce,  
Renwick,  
H. W. Taylor,  
Throop,

Chubb,  
Edmunds,  
Ferrington,

Kelsey,  
H. Mower,  
Noble,

Truesdell,  
Van Duser,  
Walker, 21

On motion of Mr. Adam,

Three hundred extra copies of the report of the joint committee on state affairs, submitted this morning, were ordered to be printed.

The bill to provide for the removal of the seat of government of this state, was then taken up, and the question being on filling the blank in the bill, designating the name of the village,

Mr. Adam moved to insert "Harrison," which motion was lost.

Mr. Johnson moved to insert "Kinderhook," which motion was lost

Mr. H. W. Taylor moved to insert "El Dorado," which motion did not prevail.

Mr. Johnson moved to insert "Lansing," which motion was decided in the negative.

Mr. H. W. Taylor moved to insert "Thurbush," which motion was lost.

Mr. Noble moved to insert "Aloda," which motion prevailed.

Mr. Goodwin moved to recommit the bill to the committee on state affairs, with instructions to appoint John S. Barry, Augustus S. Porter and Origen D. Richardson commissioners, and provide that they shall select that point within the following boundaries, which shall be the most eligible and the best in all respects for the permanent seat of government, to wit, between the east line of township range six east, and the west line of township range six west, and between the south line of township three south, and the north line of township seven, north, and to make the bill in other respects correspond with such amendment.

Mr. Adam moved to amend the instructions, so as to give the commissioners the entire state to locate in, which motion was lost.

Mr. Chubb offered the following substitute for the instructions:

"Alter the bill so as to provide for the location on the tract of land designated by Mr. Seymour, in his proposition to the legislature, and further to alter the same in conformity therewith," which motion was lost.

Mr. Britain moved to amend the instructions by striking out "six" after the word 'range,' and inserting 'three' which motion did not prevail.

The question then recurring on the motion to recommit with the instructions moved by Mr. Goodwin, it was lost by the following vote:

YEAS.

Mr. Barker, Brooks, Clark, Davison, Dyckman, Eaton, Edmunds,	Mr. Ferrington, Fralick, Goodwin, Harrington, Hollister, McFarlan, McGraw,	Mr. G. W. Moore, J. D. Pierce, Price, Renwick, Seeley, H. W. Taylor, Throop,
--	--	--

21

NAYS.

Mr. Adam, Arzeno, Bell, Britain, Brown, Chubb, Culver, Darrah, Deming, Driggs, Faxon, Glen, Goodell,	Mr. Goodrich, Goodyear, Harris, Hebard, Jennings, Johnson, Jones, Kelsey, Kilborn, Knight, Lomis, Makley,	Mr. Miller, H. Mower, Noble, D. Pierce, Pond, Shaw, Shook, Truesdell, Upton, Van Duser, Walker, Speaker,
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37

Mr. Fralick moved to recommit the bill to the committee on state affairs, with instructions to strike out "temporary" in the second line of section five, and insert "permanent."

Mr. J. D. Pierce moved to amend the instructions, so as to strike out all of the bill relative to an appropriation, which motion was decided in the negative, as follows:

YEAS.

Mr. Barker, Brooks, Clark, Davison, Eaton, Edmunds, Ferrington, Fralick,	Mr. Goodwin, Goodyear, Harrington, Lomis, McFarlan, McGraw, G. W. Moore,	Mr. J. D. Pierce, Price, Renwick, Seeley, Seymour, H. W. Taylor, Throop,
---	--	--

22

NAYS.

Mr. Adam, Arzeno, Bell, Britain, Brown, Culver,	Mr. Goodell, Goodrich, Harris, Hebard, Hollister, Jennings,	Mr. Miller, H. Mower, Noble, D. Pierce, Pond, Shaw,
--	--	--

Darrah,  
Deming,  
Driggs,  
Dyckman,  
Faxon,  
Glen,

Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Makley,

Shook,  
Truesdell,  
Upton,  
Van Duser,  
Walker,  
Speaker, 36

Mr. Truesdell moved to amend the instructions, so as to compel the acting commissioner to give six weeks' notice, by advertisement, of the letting of contracts, which motion was lost.

The question then recurring on the motion of Mr. Fralick, it did not prevail.

Mr. Britain moved to recommit the bill to the committee on state affairs, with instructions to strike out all of section two to the word "proceed" in the fourth line, and insert as follows:

"That John S. Barry, Origen D. Richardson and Augustus S. Porter, be and the same are hereby appointed commissioners, the first of whom shall be denominated the acting commissioner, who shall within forty days from the passage of this act."

Mr. Throop moved to amend the instructions so as to give the commissioners authority to locate in either of the counties of Eaton, Ingham, Ionia or Clinton, which motion did not prevail.

Mr. H.W. Taylor moved to amend the instructions so as to add the following section to the bill:

"Sec. 8. The sum of one hundred dollars is hereby appropriated out of the five mill tax, to erect guide-boards to direct the members of the next legislature to the seat of government of the state of Michigan, to be expended under the direction of the said commissioner."

Which amendment was rejected, and the question recurring on the motion of Mr. Britain, it was lost.

The bill was then read the third, time and passed by the following vote:

#### YEAS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Culver,  
Darrah,  
Deming,

Mr. Goodell,  
Goodrich,  
Harris,  
Hebard,  
Hollister,  
Jennings,  
Johnson,  
Jones,

Mr. Miller,  
Noble,  
D. Pierce,  
Pond,  
Shaw,  
Shook,  
Truesdell,  
Upton,



Driggs,  
Dyckman,  
Faxon,  
Glen,

Kelsey,  
Kilborn,  
Knight,  
Makley.

Van Duser,  
Walker,  
Speaker,

35

NAYS.

Mr. Barker.  
Brooks,  
Chubb,  
Clark,  
Davison,  
Eaton,  
Edmunds,  
Ferrington,

Mr. Fralick,  
Goodwin,  
Goodyear,  
Harrington,  
Lomis,  
McFarlan,  
McGraw,  
G. W. Moore,

Mr. H. Mower,  
J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
H. W. Taylor,  
Throop,

23

Mr. J. D. Pierce moved to add to the title as follows :

" And to absorb the building fund in temporary buildings, thereby preparing the way for taxing the people to erect permanent state buildings," which motion was lost by yeas and nays as follows :

YEAS.

Mr. Barker,  
Brooks,  
Clark,  
Davison,  
Eaton,  
Edmunds,  
Fralick,

Mr. Goodwin,  
Harrington,  
Lomis,  
McFarlan,  
McGraw,  
G. W. Moore,

Mr. J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
H. W. Taylor,  
Throop,

19

NAYS.

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Brown,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Dyckman,  
Faxon,  
Glen,  
Goodell,

Mr. Goodrich,  
Goodyear,  
Harris,  
Hebard,  
Hollister,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Knight,  
Makley,  
Miller,

Mr. H. Mower,  
Noble,  
D. Pierce,  
Pond,  
Seymour,  
Shaw,  
Shook,  
Truesdell,  
Upton,  
Van Duser,  
Walker,  
Speaker,

38

Mr. Eaton moved to amend the title so as to read,

" A bill to locate the seat of Government of this state," which motion was lost.

On motion of Mr. Pond,

The words "and for other purposes," was added to the title, and it was then agreed to as amended.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to incorporate the Port Huron and Shiawassee plank road company?

On motion of Mr. Driggs,

The House adjourned.

*Saturday, March 13, 1847.*

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Coates, Kinne and Turner were absent on leave, and Messrs. Barker, Britain, Brown, Chubb, Goodrich, Goodwin, Jones, Kelsey, Knight, Marrantette, McFarlan, Miller, H. Mower, Noble and Renwick, were absent without leave.

Mr. Johnson, from the committee on banks and incorporation, reported back without amendment, and recommended its passage, the Senate bill to incorporate the St. Mary's canal company, and the bill was referred to the committee of the whole, and placed on the general order.

Mr. Adam, from the committee on ways and means, reported a joint resolution in relation to certain state tax lands, which was read twice and ordered to be engrossed and read the third time.

On motion of Mr. Haydon,

The rule was suspended, to enable the bill to be read the third time to-day.

Mr. Britain, from the committee of conference on the disagreement between the two Houses on the bill to amend the charter of the Michigan Central Railroad Company, submitted the following report:

Amend section one by adding thereto as follows: "and said reports shall hereafter be made annually on the tenth day of January, instead of the twenty-fifth day of January, as provided in the said thirty-second section of said act."

Add a section to stand as section two, as follows: "Sec. 2. The

directors of said company shall hereafter be chosen annually on the fourth Monday in June, as provided in the twenty-fifth section of said act."

The committee recommend the House to concur in the Senate amendments to the bill.

The report was accepted, the committee discharged and the amendments reported were concurred in, by the House.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, March 12, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to return the following entitled bills which the Senate have concurred in, viz:

A bill to authorize the supervisors of the county of Ionia to expend certain monies;

A bill to provide for the improvement of the Detroit and Saginaw turnpike between Flint and Saginaw; and

A bill to incorporate the village of Hillsdale.

I am also instructed to return the following entitled bills which the Senate have concurred in with amendments, in which the concurrence of the House is respectfully asked, viz:

A bill to provide for the payment of damages for the right of way through the public lands of this state which have been purchased but not fully paid for;

A bill to extend the time for the collection of certain taxes in the township of Norton, in the county of Ottawa;

A bill to authorize Prosper Bunyea to keep up a dam across the Huron river in the county of Oakland;

A bill making appropriations for stationery for members of the present legislature.

I am also instructed to transmit herewith the following entitled bills, which the Senate have passed and respectfully ask the concurrence of the House therein, viz:

A bill to incorporate the Kalamazoo and Grand River Rail Road Company;

A bill to amend an act entitled an act providing for the final adjustment of all unsettled claims for damages growing out of the internal improvements of the state, approved March 8, 1843;

A bill authorizing the governor to convey certain real estate therein mentioned;

A bill to repeal the charter of the Oakland County Bank ;

A bill to improve the navigation of the St. Joseph river;

A bill to aid in the construction of the Corunna and Northampton turnpike ;

A joint resolution authorizing the auditor general to insure state property.

And I am also instructed to inform the House that the Senate recede from their non-concurrence and have concurred in the 1st House amendment to the bill to provide for the preservation of the laws of this state, and have ordered the same to be enrolled.

Also to inform you that the Senate have nonconcurred in the bill abolishing appeals from boards of supervisors and boards of county auditors, which is herewith returned.

Very respectfully,

JAS. E. PLATT,

*Sec'y. of Senate.*

The bill to authorize the supervisors of the county of Ionia to expend certain moneys;

The bill to provide for the improvement of the Detroit and Saginaw Turnpike between Flint and Saginaw; and

The bill to incorporate the village of Hillsdale,

Were severally ordered to be enrolled.

The Senate amendments to the following bills were concurred in, and the bills as amended ordered to be enrolled:

The bill to extend the time for the collection of certain taxes in the township of Norton, in the county of Ottawa ;

The bill to authorize Prosper Bunyea to keep up a dam across the Huron river in the county of Oakland; and

The bill to provide for the payment of damages for the right of way through the public lands of this state, which have been purchased but not fully paid for.

The Senate amendments to the bill making appropriations for stationery for members of the pre-ent legislature, were concurred in.

When, on motion of Mr. Johnson,

The vote concurring in said amendments was reconsidered.

And the question recurring on concurring in the amendments, they were concurred in.

The Senate bill to incorporate the Kalamazoo and Grand River Rail Road Company ;

The Senate bill to repeal the charter of the Oakland County Bank, and

The Senate bill to aid in the construction of the Corunna and Northampton turnpike,

Were severally read twice and referred to the committee on banks and incorporations.

The Senate bill to amend an act entitled an act providing for the final adjustment of all unsettled claims for damages growing out of the internal improvements of this state, approved March 8, 1843, was read twice, and referred to the committee on ways and means.

The Senate bill authorizing the governor to convey certain real estate therein mentioned, was read twice and referred to the committee on the judiciary.

The Senate bill to improve the navigation of the St. Joseph river was read twice and referred to the committee on internal improvement.

The Senate joint resolution authorizing the auditor general to insure state property, was read twice and referred to the committee on state affairs.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

The joint resolution in regard to certain state lands.

Mr. H. W. Taylor, from the committee on state library, reported a joint resolution relative to return of books to the state library, which was read twice, and ordered to be engrossed and read the third time.

On motion of Mr. H. W. Taylor,

The rule was suspended to enable the joint resolution to be read the third time to-day.

Mr. J. D. Pierce moved to take from the table the motion to reconsider the vote by which the House concurred in the Senate amendments to the concurrent resolution fixing the day for this legislature to adjourn *sine die*, which motion was lost by the following vote:

YEAS.

Mr. Barker,  
Brooks

Mr. Ferrington,  
Fralick,

Mr. J. D. Pierce,  
Price,

Chubb,  
Clark,  
Dyckman,  
Eaton,  
Edmunds.

Goodwin,  
Goodyear,  
Harrington,  
Lomis,  
McGraw,  
NAYS.

Renwick,  
Shook,  
H. W. Taylor,  
Throop,  
Truesdell, 21

Mr. Adam,  
Arzeno,  
Bell,  
Britain,  
Culver,  
Darrnh,  
Davison,  
Deming,  
Driggs,  
Faxon,  
Goodrich,

Mr. Harris,  
Haydon,  
Hebard,  
Hollister,  
Jennings,  
Jones,  
Kelsey,  
Makley,  
Marantette,  
McFarlan,  
Miller,

Mr. G. W. Moore  
Noble,  
O'Malley,  
D. Pierce,  
Seeley,  
Seymour,  
C. H. Taylor,  
Upton,  
Van Duser,  
Walker,  
Speaker, 33

On motion of Mr. Throop, the resolution suspending the rule requiring the reading of the journal each morning, was rescinded.

Mr. Harrington offered the following :

*Resolved*, (the Senate concurring,) That this legislature will adjourn *sine die* on Wednesday, the seventeenth instant.

On motion of Mr. Adam, the resolution was laid on the table.

Mr. Noble, from the committee on the judiciary, by unanimous consent, reported back the Senate bill to provide for the adjustment of the mortgage held by the state on the Detroit and Pontiac Railroad, together with a substitute therefor, and the bill and substitute were referred to the committee of the whole and placed on the general order.

The bill to incorporate the Portland and Shiawassee plank road company, was read the third time and passed by the following vote, two-thirds voting in the affirmative :

YEAS.

Mr. Adam,  
Britain,  
Brooks,  
Brown,  
Chubb,  
Clark,  
Culver,  
Deming,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Goodrich,

Mr. Goodwin,  
Harris,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Jones,  
Kelsey,  
Lomis,  
Makley,  
Marantette,  
McFarlan,  
McGraw,

Mr. Miller,  
G. W. Moore,  
O'Malley,  
Seeley,  
Seymour,  
Shook,  
C. H. Taylor,  
Throop,  
Upton,  
Van Duser,  
Walker,  
Speaker, 38

## NAYS.

Mr. Arzeno,	Mr. Fralick,	Mr. J. D. Pierce,
Barker,	Goodyear,	Price,
Darruh,	Haydon,	Renwick,
Davison,	Noble,	H. W. Taylor,
Dyckman,	D. Pierce,	14

The joint resolution in regard to certain state tax lands, was read the third time and passed.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed, the joint resolution relative to return of books to the state library.

The House then resolved itself into committee of the whole on the general order, Mr. C. H. Taylor in the chair.

After some time, the committee rose and by their chairman reported back with amendments, in which the concurrence of the House was asked,

A bill to incorporate the St. Mary's Canal Company ; and

The bill appropriating certain non-resident highway taxes for the purpose of improving the Detroit and Grand River Turnpike, in the county of Ingham.

The committee also reported that they had had under consideration, a bill making appropriations to defray certain expenses authorized for the year 1847, on which they had made progress, and asked and obtained leave to sit again thereon.

The amendments made in committee of the whole to the bill appropriating certain non-resident highway taxes for the purpose of improving the Detroit and Grand River Turnpike, in the county of Ingham, were concurred in, and the bill was ordered to be engrossed and read the third time.

The amendments to the bill to incorporate the St. Mary's Canal Company, were concurred in.

On motion of Mr. Britain,

The ninth section was amended by striking out of the forty-fourth and forty-fifth lines the words "the sheriff or coroner shall administer to each of them an oath or affirmation that they—" and inserting as follows: "Each of them shall take and subscribe the following oath or affirmation, to be administered by the sheriff or coroner—" "I do solemnly swear or affirm, that I am neither directly or indirectly in-

terested in the lands or materials to be appraised, nor in the property or stock of the St. Mary's Canal Company ; that I have not been, am not, and do not expect to be in the employment of said company ; that I.' "

On motion of Mr. Britain,

The bill was laid on the table.

Mr. Harrington, from the committee on internal improvement, reported back the Senate bill to improve the navigation of the St. Joseph river, and reported adverse to its passage, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Noble, from the committee on the judiciary, reported back without amendment, and recommended its passage, the bill authorizing the governor to convey certain real estate therein mentioned, and the bill was ordered to be read the third time.

On motion of Mr. Adam,

The rule was suspended and the bill read the third time and passed.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,  
Detroit, March 13, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I beg leave to state to the House of Representatives, that on the 10th inst. I omitted to mention in my message returning the " bill to amend an act entitled an act to incorporate the city of Monroe," an amendment which was made thereto by the Senate, viz :

" Strike out section 6," and that the bill passed the Senate with said amendment incorporated therein.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

On motion of Mr. Noble,

The clerk was directed to call on the Executive, and respectfully request of him to return the bill to amend an act entitled an act to incorporate the city of Monroe.

The bill having been returned, it was taken up, and the Senate amendment thereto, striking out the sixth section, was non-concurred in.



The Speaker announced the following communication :

EXECUTIVE OFFICE,  
*Detroit, March 13, 1847.* }

*To the House of Representatives:*

Pursuant to a request therein contained, I herewith transmit the enclosed communication from the New York Prison Association.

WM. L. GREENLY.

The communication and accompanying documents were referred to the committee on the state library.

The following communication was received from the Senate :

SENATE CHAMBER,  
*Detroit, March 12, 1847.* }

*To the Speaker of the House of Representatives:*

SIR :—I am instructed by the Senate to transmit the following entitled bills, which the Senate have passed, and respectfully ask the concurrence of the House therein.

A bill to incorporate the Hillsdale and Coldwater Plank Road Company ;

A bill imposing penalties for obstructing the passage of fish in navigable streams and streams meandered by the United States survey; and

A bill to provide for the collection of a special tax for the improvement of the territorial or Vistula road, in the counties of Lenawee and Hillsdale.

Also to return the bill authorizing Allen A. Rabineau to build a dam across the River Raisin, in the county of Monroe, and to respectfully inform you that the Senate have concurred therein.

Also to return the bill to organize certain townships and for other purposes, which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

Your obedient servant,

JAMES E. PLATT,

*Sec'y. of Senate.*

The bill authorizing Allen A. Rabineau to build a dam across the River Ruisin, in the county of Monroe, was ordered to be enrolled.

The Senate bill to provide for the collection of a special tax for the improvement of the territorial or Vestula road, in the counties of

Lenawee and Hillsdale, was read twice and referred to the committee on roads and bridges.

The Senate bill imposing penalties for obstructing the passage of fish in navigable streams and streams meandered in the United States survey, was read twice and referred to the committee on state affairs.

The Senate bill to incorporate the Hillsdale and Coldwater Plank Road Company was read twice and referred to the committee on banks and incorporations.

The Senate amendments to the bill to organize certain townships and for other purposes, were amended by striking out therefrom the twenty-first section, and the amendments as amended were concurred in.

Mr. Johnson, from the committee on banks incorporations, reported back without amendment, and recommended its passage, the Senate bill to incorporate the Kalamazoo and Grand Rapids Railroad Company, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Johnson, from the same committee, reported back without amendment, and recommended its passage, the Senate bill to repeal the charter of the Oakland County Bank, and it was ordered to be read the third time.

On motion of Mr. Adam,

The rule was suspended, and the bill was read the third time and passed by a two-thirds vote, as follows :

#### YEAS.

Mr. Adam,  
Arzeno,  
Barker,  
Britain,  
Brooks,  
Brown,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Eaton,  
Edmunds,  
Faxon,  
Fralick,  
Glen,

Mr. Goodell,  
Goodrich,  
Goodwin,  
Goodyear,  
Hebard,  
Harrington,  
Jennings,  
Johnson,  
Kelsey,  
Kilborn,  
Makley,  
Marantette,  
McFarlan,  
McGraw,  
Miller,

Mr. G. W. Moore,  
Noble,  
Pond,  
Price,  
Renwick,  
Seymour,  
Shaw,  
Shook,  
H. W. Taylor,  
Throop,  
Truesdell,  
Upton,  
Van Duser,  
Walker,  
Speaker.

45

#### NAYS.

Mr. D. Pierce,

On motion of Mr. G. W. Moore, the House adjourned.

*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Coates, Kinne, Knight and Turner were absent on leave, and Messrs. Brooks, Culver, Driggs, Edmunds, Ferrington, Goodwin, Harrington, McFarlan, H. Mower, Noble, J. D. Pierce, Renwick, H. W. Taylor and Walker were absent without leave.

Mr. Adam asked and obtained leave of absence for Mr. J. D. Pierce for the day.

Mr. Johnson, from the committee on banks and incorporations, reported back without amendment, and recommended its passage, the Senate bill to incorporate the Hillsdale and Coldwater plank road company, and the bill was referred to the committee of the whole and placed on the general order.

The joint resolution relative to return of books to the state library, was read the third time and passed.

The House then resolved itself into committee of the whole on the general order, Mr. Goodrich in the chair.

After some time the committee rose and by their chairman reported back with amendments, in which the concurrence of the House was asked,

A bill to incorporate the Hillsdale and Coldwater plank road company; and

A bill to incorporate the Kalamazoo and Grand Rapids railroad company.

The committee also reported back to the House without amendment,

A bill to improve the navigation of the St. Joseph river.

The amendments made in committee of the whole to the bill to incorporate the Hillsdale and Coldwater plank road company, were concurred in, in gross.

On motion of Mr. D. Pierce,

The nineteenth section of the bill was stricken out.

The amendments to the bill were ordered to be engrossed, and the bill ordered to be read the third time.

The amendments made in committee of the whole to the bill to in-

corporate the Kalamazoo and Grand Rapids Rail Road Company, were concurred in, in gross.

On motion of Mr. C. H. Taylor,

The following was added to section three :

“And the inhabitants of this state shall have a lien upon the property of said company for all dues or demands against said company to the amount of one hundred dollars, originally contracted within this state, which, after said lien of the state, shall take precedence of all other debts or demands, judgments or decrees, liens or mortgages against said company.”

Mr. Van Duser moved to add the following to the bill, as an independent section :

“Sec. —. The stockholders of said company shall be personally liable for all debts of the company to the amount of stock owned by them, after the corporate property of the company liable to execution has been exhausted.”

Which motion was lost by the following vote:

#### YEAS.

Mr. Arzeno,	Mr. Edmunds,	Mr. Noble,	
Clark,	Fralick,	O'Malley,	
Darrah,	Johnson,	Renwick,	
Davison,	Lomis,	Seeley,	
Deming,	Makley,	Throop,	
Driggs,	Marantette,	Van Duser,	
Eaton,	G. W. Moore,	Speaker,	21

#### NAYS.

Mr. Adam,	Mr. Goodrich,	Mr. Kelsey,	
Barker,	Goodwin,	D. Pierce,	
Bell,	Goodyear,	Pond,	
Britain,	Harris,	Seymour,	
Culver,	Haydon,	Shook,	
Dyckman,	Jennings,	C. H. Taylor,	
Faxon,	Jones,	Truesdell,	
Glen,			22

On motion of Mr. Edmunds the following proviso was added to section thirteen :

Provided further, that whenever it shall be necessary for the convenience of the public or persons receiving or sending property by said rail road, the said company shall permit side tracks to intersect their main road, at any depot on or along the line of said road, and that such persons shall be entitled to have any property taken from

such side tracks, under the direction and regulation of said company, without unreasonable delay."

Mr. Goodwin moved to strike out of section twelve, the words "or any other purpose which is necessary in the construction or repair of said road," which motion was lost.

Mr. Noble moved to strike out section six, which motion was lost by the following vote :

YEAS.

Mr. Adam,  
Arzeno,  
Britain,  
Clark,  
Darrah,  
Davison.  
Deming,

Mr. Eaton,  
Edmunds,  
Fralick,  
Glen,  
Johnson,  
G. W. Moore,  
Noble,

Mr. Pond,  
Price,  
Seeley,  
Shook,  
Throop,  
Van Duser,  
Spencer, 21

NAYS.

Mr. Barker,  
Bell,  
Brown,  
Culver,  
Driggs,  
Dyckman,  
Faxon,  
Goodrich,

Mr. Goodwin,  
Harris,  
Hebard,  
Jennings,  
Jones,  
Kelsey,  
Kilborn,  
Lomis,

Mr. Makley,  
Marantette,  
McGraw,  
O'Malley,  
D. Pierce,  
Seymour,  
C. H. Taylor, 23

Mr. Goodwin moved the following as an additional section, which motion did not prevail:

"Sec. —. The said company shall transport over said road, for the usual prices of transportation, all freight that is delivered at any depot thereon, and in the order in which said freight is delivered for transportation."

On motion of Mr. C. H. Taylor,

The vote by which the House refused to strike out section six was reconsidered, and the question recurring on striking out said section, it passed by the following vote :

YEAS.

Mr. Bell,  
Britain,  
Brooks,  
Brown,  
Culver,  
Darrah,  
Deming,

Mr. Fralick,  
Glen,  
Goodrich,  
Goodyear,  
Hebard,  
Jennings,  
Johnson,

Mr. G. W. Moore,  
Noble,  
O'Malley,  
Pond,  
Price,  
Seymour,  
Shaw,

Driggs,  
Dyckman,  
Eaton,  
Edmunds,  
Faxon,

Kelsey,  
Kilborn,  
Makley,  
Marantette,

Shook,  
C. H. Taylor,  
Throop,  
Speaker,

34

## NAYS.

Mr. Barker,  
Chubb,  
Clark,  
Davison,

Mr. Goodwin,  
Harris,  
Lomis,

Mr. D. Pierce,  
Renwick,  
Seeley,

10

Mr. Eaton moved to lay the bill on the table, which motion was lost, and the House amendments were ordered to be engrossed, and the bill ordered to be read the third time.

The House then took up the bill to improve the navigation of the St. Joseph river, and

On motion of Mr. Britain,

The word "ten" before "thousand" was stricken out of the third line of the bill, and "seven" inserted.

Mr. Fralick moved to lay the bill on the table, which motion was lost.

Mr. Fralick moved to strike out all after the enacting clause, which motion was decided in the negative by following vote:

## YEAS.

Mr. Adam  
Arzeno,  
Chubb,  
Clark,  
Davison,  
Eaton,  
Fralick,

Mr. Goodyear,  
Hebard,  
Harrington,  
Jennings,  
Lomis,  
Makley,  
McGraw,

Mr. G. W. Moore,  
D. Pierce,  
Price,  
Renwick,  
Seeley,  
Shook,  
Throop.

21

## NAYS.

Mr. Barker,  
Bell,  
Britain,  
Brooks,  
Brown,  
Culver,  
Darrah,  
Deming,  
Driggs,

Mr. Dyckman,  
Faxon,  
Glen,  
Goodrich,  
Goodwin,  
Harris,  
Johnson,  
Kelsey,  
Kilborn,

Mr. Marantette,  
Noble,  
Pond,  
Seymour,  
Shaw,  
C. H. Taylor,  
Van Duser,  
Speaker,

26

Mr. Fralick moved a call of the House, which was not ordered.

The House amendments were then ordered to be engrossed and the bill ordered to a third reading by the following vote:

YEAS.

Mr. Barker,  
Bell,  
Britain,  
Brooks,  
Brown,  
Culver,  
Darrah,  
Deming,  
Driggs,  
Dyckman,

Mr. Edmunds,  
Faxon,  
Glen,  
Goodrich,  
Goodwin,  
Harris,  
Hebard,  
Johnson,  
Kelsey,

Mr. Kilborn,  
Marantette,  
Miller,  
Pond,  
Seymour,  
Shaw,  
C. H. Taylor,  
Van Duser,  
Speaker,

28

NAYS.

Mr. Adam,  
Arzeno,  
Chubb,  
Clark,  
Davison,  
Eaton,  
Fralick,

Mr. Goodyear,  
Harrington,  
Jennings,  
Lomis,  
Makley,  
McGraw,  
G. W. Moore,

Mr. Noble,  
D. Pierce,  
Price,  
Renwick,  
Seeley,  
Shook,  
Throop,

21

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill appropriating certain non-resident highway taxes for the purpose of improving the Detroit and Grand river turnpike in the county of Ingham;

The House amendments to the bill to incorporate the Hillsdale and Coldwater Plank Road Company; and

The House amendment to the bill to improve the navigation of the St. Joseph river.

Mr. Fralick moved that the House adjourn until seven o'clock, which motion was lost, and

On motion of Mr. Pond,

The House adjourned.

*Monday, March 15, 1847.*

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Coates, Kinne, Knight and Turner were absent on leave, and Messrs. Barker, Eaton, Ferrington, Good-

rich, Goodyear, Haydon, Hollister, McFarlan, McGraw, Pond, Price, Seeley, Seymour and Upton were absent without leave.

The journal of Saturday was read and approved.

The Speaker presented the memorial of C. G. Hammoud, collector of the port of Detroit, relative to ceding jurisdiction over certain territory on which light houses are proposed to be built by the United States. Referred to committee on federal relations.

The Speaker also presented the memorial of Cornelius Mitchell relative to a pension. Referred to the committee on federal relations.

Mr. Johnson presented the petition of A. B. Bates, and others, of Jackson county, for an extension of the charter of the Farmers' and Mechanics' Bank of Michigan. Laid on the table.

Mr. Goodwin, from the committee on state affairs, made the following report, which was accepted, and the committee discharged from the further consideration of the subject :

The committee on state affairs, to whom was referred the petition of sundry citizens of Barry county for a homestead exemption, notwithstanding the bill on that subject has been rejected, report that in their opinion such an exemption ought to exist, but that it probably cannot be passed this session, and therefore do not report a bill or resolution.

Mr. Goodwin, from the same committee, also submitted the following report, which was accepted and the committee discharged from the further consideration of the subject :

The committee on state affairs to whom was referred Senate joint resolution No. 27, relative to the repeal of certain license laws, report the same back without amendment or any expression of opinion upon it.

They also report back Senate joint resolution relative to insurance of state buildings and property without amendment and recommend its passage.

They also report back the Senate bill imposing penalties for obstructing navigable and meandered streams, and recommend its passage without amendment.

They also report back the House resolution relative to the publication and sale of the revised statutes of 1846, with the following information :



1st. The contractors for printing, binding and publishing the revised statutes of 1846, printed 500 extra copies on their own account.

2d. They have sold 17 copies at \$5 each, and that is the cash price at which they are selling at this time.

3d. They are sold for the benefit of Bagg & Harmon.

4th. The authority to sell those books is the same as that of any freeman to sell his property to whom he pleases, as neither the publishers' contract, the laws of the state, or its constitution, nor the ordinances of '67, stand in the way of sale.

On motion of Mr. Goodwin,

The further consideration of the Senate joint resolution repealing an act entitled an act amendatory to the several acts touching licenses, approved May 12, 1846, and also repealing sections twenty-seven to thirty-two inclusive, of chapter forty-one of the revised statutes of 1846, as regards taverns and other licensed houses, was indefinitely postponed.

The joint resolution authorising the auditor general to insure state property, was referred to the committee of the whole and placed on the general order.

The Senate bill imposing penalties for obstructing the passage of fish, in navigable streams, and streams meandered in the United States survey, was referred to the committee of the whole and placed on the general order.

Mr. H. W. Taylor, from the committee on the state library, reported a bill to authorize the purchase of certain prison discipline reports, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Hebard, from the committee on roads and bridges, reported back without amendment and recommended its passage, the Senate bill to provide for the collection of a special tax for the improvement of the territorial or Vistula road, in the counties of Lenawee and Hillsdale, which bill was referred to the committee of the whole and placed on the general order.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, March 15, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the "bill to incor-

porate the pioneer smelting company of the upper peninsula of Michigan," which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked.

Your obedient servant.

JAS. E. PLATT,  
*Secretary of Senate.*

The Senate amendments to the bill to incorporate the pioneer smelting company of the upper peninsula of Michigan, were concurred in by a two-thirds vote, as follows :

YEAS.

Mr. Adam,	Mr. Goodell,	Mr. H. Mower,
Bell,	Goodwin,	Noble,
Britain,	Goodyear,	O'Malley,
Brooks,	Harris,	J. D. Pierce,
Brown,	Haydon,	Pond,
Chubb,	Hebard,	Renwick,
Culver,	Harrington,	Seymour,
Darrah,	Hollister,	Shaw,
Deming,	Jennings,	Shook,
Driggs,	Jones,	H. W. Taylor,
Dyckman,	Kelsey,	Throop,
Eaton,	Kilborn,	Truesdell,
Edmunds,	Makley,	Upton,
Faxon,	Marantette,	Walker,
Fralick,	Miller,	Speaker,
Glen,	G. W. Moore,	47

NAYS.

Mr. Clark,	Mr. Johnson,	Mr. C. H. Taylor,
Gavison,	D. Pierce,	5

The bill as amended was ordered to be enrolled.

Mr. H. W. Taylor moved to take from the table the motion to reconsider the vote by which the House concurred in the Senate amendments to the concurrent resolution fixing the day for this legislature to adjourn *sine die*, which motion was lost by the following vote :

YEAS.

Mr. Brooks,	Mr. Goodwin,	Mr. D. Pierce,
Chubb,	Goodyear,	Renwick,
Clark,	Harrington,	H. W. Taylor,
Edmunds,	Noble,	Throop,
Fralick,	O'Malley,	Truesdell,
		15

NAYS.

Mr. Adam,	Mr. Goodrich,	Mr. Miller,
Bell,	Harris,	G. W. Moore,

Britain,	Haydon,	H. Mower,
Brown,	Hebard,	Pond,
Culver,	Hollister,	Seeley,
Darrah,	Jennings,	Seymour,
Davison,	Johnson,	Shaw,
Deming,	Jones,	Shook,
Driggs,	Kelsey,	C. H. Taylor,
Dyckman,	Kilborn,	Upton,
Eaton,	Lomis,	Van Duser,
Faxon,	Makley,	Walker,
Glen,	Marantette,	Speaker,
Goudell,	McGraw,	41

Mr. Harrington moved to take from the table the concurrent resolution fixing Wednesday, the seventeenth instant as the day of adjournment, which motion did not prevail.

Mr. Harrington offered the following:

*Whereas*, The people of this state had reason to believe that the present session of the legislature was to be what is termed a short session, and have looked to us in vain for a time to be fixed on to adjourn, and,

*Whereas*, We have now been in session 70 days, without limiting our time or reducing our pay, and,

*Whereas*, Further legislation at this session we believe unwise, impolitic and injurious to the best interests of the people of this state, and uncalled for by our constituents, and,

*Whereas*, This House adopted a concurrent resolution to adjourn *sine die* on the 15th day of February last, which was non-concurred in by the Senate, and

*Whereas*, A similar resolution has since been adopted, to adjourn on the first of March, *inst.*, which was also non-concurred in by the Senate, and

*Whereas*, There has been a like resolution adopted by this House to adjourn on the 13th of March *inst.*, which was so amended by the Senate, as to adjourn on the 15th of March, *inst.*, which the House refused to concur in, and, as it is now apparent that the two Houses cannot agree on a time for adjournment, Therefore.

*Resolved*, That the Governor be respectfully requested to exercise his prerogative, as provided in article five, section nine of the constitution, and adjourn this legislature *sine die*.

On motion of Mr. Harris,

The preamble and resolution were laid on the table.

Mr. Chubb offered the following resolution, which was,

On motion of Mr. Bell, laid on the table:

*Resolved*, That the committee on the judiciary be instructed to inquire whether, in their opinion, under the constitution of this state, and the rules of this House, any member who has sold out his chance for all pay which he may receive over and above that allowed for the sixty days first provided for, and also whether any member purchasing such chance should not be excluded from voting on any question touching a final adjournment, and report to this House with all convenient despatch.

The following communication was received from the Senate:

SENATE CHAMBER.

*Detroit, March 15, 1847.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the following entitled bills which the Senate have concurred in, viz:

A bill to amend the revised statutes of 1846, in relation to the assignment of dower;

A bill to repeal the charter of the borough of Michilimackinac.

I am also instructed to return the following named bills, which the Senate have concurred in with amendments, in which the concurrence of the House is respectfully requested, viz:

A bill to organize certain townships in the counties of Marquette, Houghton, Schoolcraft and Ontonagon;

A bill to provide for the removal of the seat of government of this state and for other purposes.

I am also instructed to return the following joint resolutions which the Senate have concurred in, viz:

Joint resolution relative to the surveys of the United States military roads in this state;

Joint resolution relative to the settlement of a claim of Edward D. Ellis and William H. H. Briggs;

Joint resolution in relation to bonds and mortgages given to secure loans from the university and school fund."

Respectfully, &c.,

JAS. E. PLATT,  
Sec. Senate.

The following entitled bills and joint resolutions were ordered to be enrolled, viz :

A bill to amend the revised statutes of 1846, relative to assignment of dower ;

A bill to repeal the charter of the borough of Michilimackinac ;

A joint resolution relative to the surveys of the United States military roads within this state ;

A joint resolution relative to the settlement of the claim of Edward D. Ellis and William H. H. Briggs; and

A joint resolution relative to bonds and mortgages given to secure loans from the university and school funds.

The Senate amendments to the bill to organize certain townships in the counties of Marquette, Houghton, Schoolcraft and Ontonagon, were concurred in, and the bill as amended ordered to be enrolled.

The first Senate amendment to the bill to provide for the removal of the seat of government of this state, and for other purposes, was concurred in.

The second amendment, which strikes out of the fourth line of section five, the words "village of Aloda," and inserts "town of Michigan," being under consideration,

Mr. H. W. Taylor moved to amend the amendment by striking out "town" and inserting "city," which motion was lost.

Mr. Throop moved to strike out "Michigan" and insert "Huron," which motion did not prevail.

Mr. Truesdell moved to strike out "Michigan" and insert "Lansing," which motion was decided in the negative.

Mr. Hollister moved to strike out "town of Michigan" and insert "village of Marcellus," which motion was lost.

Mr. Goodrich moved to reconsider the vote refusing to strike out "Michigan" and insert "Huron," which motion was lost.

Mr. H. W. Taylor moved to strike out "Michigan," and insert "Swedenborg," which motion did not prevail.

The Senate amendment was then concurred in by yeas and nays as follows :

YEAS.

Mr. Adam,  
Arzeno,  
Bell,

Mr. Faxon,  
Glen,  
Gnodell,

Mr. Miller,  
Noble,  
O'Malley,

Britain,  
Brown,  
Chubb,  
Culver,  
Darrah,  
Deming,  
Driggs,

Goodrich,  
Goodyear,  
Harris,  
Hebard,  
Jennings,  
Kelsey,  
Kilborn,

D. Pierce,  
Pond,  
Shaw,  
Shook,  
Upton,  
Walker,  
Speaker, 30

## NAYS.

Mr. Barker,  
Brooks,  
Clark,  
Davison,  
Dyckman,  
Eaton,  
Edmunds,  
Fralick,  
Haydon,  
Harrington,

Mr. Hollister,  
Johnson,  
Jones,  
Lomis,  
Makley,  
Marantette,  
McGraw,  
G. W. Moore,  
H. Mower,

Mr. J. D. Pierce,  
Price,  
Renwick,  
Seeley,  
C. H. Taylor  
H. W. Taylor,  
Throop,  
Truesdell,  
Van Duser, 28

The remainder of the Senate amendments to the bill were severally concurred in, and the bill ordered to be enrolled.

The Speaker announced the following message from the Senate:

SENATE CHAMBER, }  
Detroit, March 15, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit herewith a "joint resolution relative to an adjournment of the legislature, which the Senate have adopted, and in which the concurrence of the House is respectfully asked.

Your obedient servant,

JAMES E. PLATT,

*Secretary of the Senate.*

The joint resolution relative to an adjournment of the legislature was read twice, and

On motion of Mr. Goodwin,

The rules were suspended, and the joint resolution was read the third time and passed by the following vote:

## YEAS.

Mr. Britain,  
Brooks,  
Brown,  
Chubb  
Clark,  
Culver,

Mr. Harris,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,

Mr. D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Seymour,

Darrah,  
Davison,  
Driggs,  
Dyckman,  
Faxon,  
Glen,  
Goodell,  
Goodrich,  
Goodwin,

Jones,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
Marantette,  
McGraw,  
Miller,  
G. W. Moore,

Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Upton,  
Speaker,

44

NAYS.

Mr. Adam,  
Arzeno,  
Barker,  
Deming,  
Eaton,

Mr. Edmunds,  
Fralick,  
Goodyear,  
Johnson,  
H. Mower,

Mr. Noble,  
O'Malley,  
Renwick,  
Van Duser,  
Walker,

15

Mr. H. W. Taylor moved a reconsideration of the last vote, which motion was lost.

On motion of Mr. Seymour,

The bill to incorporate the St. Mary's Canal Company, was taken from the table.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed, the House amendments to the bill to incorporate the Kalamazoo and Grand Rapids Railroad Company.

The bill to incorporate the Hillsdale and Coldwater Plank Road Company was read the third time, and

On motion of Mr. Adam,

Laid on the table.

The bill appropriating certain non-resident highway taxes for the purpose of improving the Detroit and Grand River Turnpike, in the county of Ingham, was read the third time and passed.

The bill to incorporate the Kalamazoo and Grand River Railroad Company, was read the third time, when

Mr. C. H. Taylor asked and obtained the unanimous consent of the House to amend the fifth and sixth lines of section twelve, by striking out the word "or any other purpose which is necessary in the construction or repair of said road."

The question being on the passage of the bill, it was not passed by the following vote, two-thirds not voting in the affirmative:

YEAS.

Mr. Adam,  
Barker,

Mr. Goodell,  
Goodyear,

Mr. D. Pierce,  
Seymour,

Britain,  
Brooks,  
Chubb,  
Culver,  
Deming,  
Driggs,  
Dyckman,  
Edmunds,  
Faxon,

Harris,  
Hebard,  
Hollister,  
Jennings,  
Kilborn,  
Makley,  
Marantette,  
H. Mower,  
O'Malley,

C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Upton,  
Van Duser,  
Walker,  
Speaker,

32

## NAYS.

Mr. Arzeno,  
Clark,  
Darrah,  
Eaton,  
Fralick,  
Goodrich,

Mr. Goodwin,  
Harrington,  
Lomis,  
McGraw,  
Miller,  
G. W. Moore,

Mr. Noble,  
Pond,  
Price,  
Renwick,  
Shaw,  
Shook,

18

The bill to improve the navigation of the St. Joseph River was read the third time, when

Mr. Chubb moved to commit the bill to the select committee on land appropriations, with instructions to provide in the bill for the following appropriations, viz :

	Acres.
Bridge over St. Joseph river,	1,000
Kalamazoo river,	10,000
Paw Paw river,	6,000
Flint river,	3,000
Corunna and Northampton plank road,	8,000
Grand River road,	10,000
Allegan and Ottawa road,	2,000
Plank road at St. Mary's,	3,000
Pontiac and Grand River road,	3,000
Eaton and Saranac road,	6,000
Surveying roads in upper peninsula,	2,000
State road from Independence to Witherbee's Mills,	5,000
Battle Creek and Grand Rapids state road,	4,000
Pontiac and Canandaigua state road,	2,000
St. Joseph and New Buffalo state road,	3,000
Lapeer and Port Huron road,	4,000
Flint River and Saginaw turnpike,	3,000
Clinton and Kalamazoo Canal,	4,000
For the construction of a road from Jackson to Lansing,	20,000



For the construction of a road from Dexter to Lansing, 10,000

Pending the question,

Mr. J. D. Pierce moved that the further consideration of the whole subject be indefinitely postponed, which motion was lost by the following vote :

YEAS.

Mr. Adam, Arzeno, Chubb, Clark, Darrah, Davison, Eaton, Fralick,	Mr. Goodyear, Hebard, Harrington, Lomis, Makley, McGraw, G. W. Moore, D. Pierce,	Mr. J. D. Pierce, Pond, Price, Renwick, Shook, H. W. Taylor, Throop, Truesdell, 24
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NAYS.

Mr. Barker, Britain, Brooks, Brown, Culver, Deming, Driggs, Dyckman, Edmunds, Faxon,	Mr. Glen, Goodrich, Goodwin, Hollister, Jennings, Johnson, Jones, Kelsey, Kilborn, Marantette,	Mr. Miller, Noble, O'Malley, Seymour, Shaw, C. H. Taylor, Upton, Van Duzer, Speaker, 29
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The question then recurring on the motion to commit with instructions, it was decided in the negative by the following vote :

YEAS.

Mr. Adam, Arzeno, Chubb, Clark, Darrah, Davison, Eaton, Fralick, Goodyear,	Mr. Harris, Harrington, Hollister, Jennings, Johnson, Lomis, Makley, McGraw, Miller,	Mr. G. W. Moore, D. Pierce, Pond, Price, Renwick, Seymour, H. W. Taylor, Speaker, 26
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NAYS

Mr. Barker, Britain, Brooks, Brown, Culver, Deming, Driggs,	Mr. Glen, Goodwin, Hebard, Jones, Kelsey, Kilborn, Marantette,	Mr. J. D. Pierce, Shaw, Shook, C. H. Taylor, Throop, Truesdell, Upton,
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Dyckman,  
Edmunds,  
Faxon,

H. Mower,  
Noble,

Van Duser,  
Walker,

28

Mr. Fraick moved to lay the bill on the table.

Pending which,

Mr. Renwick moved a call of the House, which was ordered ; and on calling the roll, it was found that Messrs. Bell, Ferrington, Goodell, Goodrich, Harris, Haydon, McFarlan, Miller, Pond, Seeley and Upton were absent without leave.

On motion of Mr. Glen,

The sergeant-at-arms was ordered to bring the absentees to the bar of the House.

Mr. Price moved that the House adjourn, which motion was lost.

Mr. Goodyear moved to dispense with all further proceedings under the call, which motion was decided in the negative.

The sergeant-at-arms not being present,

On motion of Mr. Goodwin,

Gurdon Williams was appointed sergeant-at-arms *pro tempore*.

Mr. Adam moved to suspend all further proceedings under the call until to-morrow, which motion was lost.

The sergeant-at-arms having brought to the bar of the House, Messrs. Bell, Goodell, Goodrich, Harris, Miller and Seeley, they tendered their excuses, which were accepted, and they were admitted within the bar, and took their seats.

Mr. Noble asked and obtained leave of absence for Mr. Upton for for the day.

On motion of Mr. Kilborn,

All further proceedings under the call were dispensed with.

The question then being on laying the bill on the table, it was decided in the negative by the following vote :

#### YEAS.

Mr. Adm,  
Arzeno,  
Clark,  
Culver,  
Darrah,  
Davison,  
Fraick,  
Glen,

Mr. Goodell,  
Goodrich,  
Harris,  
Hebard,  
Jennings,  
Lomis,  
Makley,  
McGraw,

Mr. Miller,  
G. W. Moore,  
Price,  
Renwick,  
Seeley,  
Throop,  
Truesdell,  
Walker

24

## NAYS.

Mr. Barker, Bell, Britain, Brooks, Brown, Chubb, Deming, Driggs, Dyckman, Eaton, Edmunds, Faxon,	Mr. Goodwin, Goodyear, Harrington, Hollister, Johnson, Jones, Kelsey, Kilborn, Marantette, H. Mower, Noble, O'Malley,	Mr. D. Pierce, J. D. Pierce, Pond, Seymour, Shaw, Shook, C. H. Taylor, H. W. Taylor, Upton, Van Duser, Speaker,
		35

The bill was then passed by yeas and nays as follows :

## YEAS.

Mr. Barker, Bell, Britain, Brooks, Brown, Culver, Deming, Driggs, Dyckman, Edmunds,	Mr. Faxon, Glen, Goodwin, Hollister Johnson, Jones, Kelsey, Kilborn, Marantette, Miller,	Mr. H. Mower, O'Malley, Pond, Seymour, Shaw, Shook, C. H. Taylor, Upton, Van Duser, Walker,
		30

## NAYS

Mr. Adam, Arzeno, Chubb, Clark, Darrah, Davison, Eaton, Frulick, Goodell, Goodrich,	Mr. Goodyear, Harris, Hebard, Harrington, Jennings, Lomis, Makley, McGraw, G. W. Moore, Noble,	Mr. D. Pierce, J. D. Pierce, Price, Renwick, Seeley, H. W. Taylor, Throop, Truesdell, Speaker,
		29

The House took up the bill to incorporate the St. Mary's Canal Company, and

On motion of Mr. Seymour,

The following proviso was added to section twelve : "Provided that no such excess shall be paid into said treasury until said company shall receive by profits a sum equal to seven per centum per annum on the capital stock invested."

The House amendments were then ordered to be engrossed, and the bill ordered to be read the third time.

The blank in the seventieth line was filled with the word "seventeen."

The bill was ordered to be engrossed and read the third time, and it having been engrossed,

On motion of Mr. Noble,

The rule was suspended and the bill read the third time and passed.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,  
Detroit, March 15, 1847. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to return the following entitled bill, and inform the House that the Senate have concurred therein viz:

A "bill to amend an act entitled an act to incorporate the Adrian Seminary," approved January 30, 1846.

I am also instructed to return a "bill to organize certain townships and for other purposes," and inform you that the Senate have concurred in House amendment to Senate amendment.

I am also instructed to return a "bill to amend an act entitled an act to incorporate the city of Monroe," and respectfully inform the House that the Senate do adhere to their amendment striking out section 6.

Also a "bill to amend the charter of the Michigan central railroad company," in which the Senate have concurred in the report of the the committee of conference upon said bill.

I am also instructed to return the following joint resolution, in which the Senate have concurred, viz:

"Joint resolution relative to building expenses at the state prison."

I am also instructed to return "joint resolution in regard to certain state tax lands," which the Senate have concurred in, with amendments, in which the concurrence of the House is respectfully asked.

I am also instructed to transmit herewith a "bill to provide for holding special elections, in case of vacancy in the office of county judge," which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Also to return the "joint resolution relative to the return of books to the state library," and

The "bill to provide for the payment of interest on the internal improvement debt of this state, and for other purposes," and to respectfully inform you that the Senate have non-concurred therein.

Very respectfully,

JAS. E. PLATT,

*Sec'y. of Senate.*

The following bills and joint resolution were ordered to be enrolled, viz :

A bill to amend the charter of the Michigan central railroad company;

A bill to amend an act entitled an act to incorporate the Adrian Seminary, approved January 30, 1846;

A bill to organize certain townships and for other purposes, and

A joint resolution relative to building expenses at the state prison.

The House receded from their disagreement to the Senate amendment to the bill to amend an act entitled an act to incorporate the city of Monroe, concurred in said amendment, and ordered the bill as amended to be enrolled.

The Senate amendments to the joint resolution in regard to certain state tax lands were concurred in, and the joint resolution as amended was ordered to be enrolled.

The Senate bill to provide for holding special elections in case of vacancy in the office of county judge, was read twice and referred to the committee on the judiciary.

Mr. Price, from the committee on engrossment and enrollment, reported that the following bills were correctly enrolled, and were this day presented to the Governor for his approval, viz :

A bill making appropriations for stationery for members of the present legislature;

A bill to incorporate the Pioneer Smelting Company of the Upper Peninsula of Michigan;

A bill to repeal the charter of the Borough of Michilimackinac;

A bill to authorize Prosper Bunyea to keep up a dam across the Huron river, in the county of Oakland;

A bill to provide for the payment of damages for the right of way

through the public lands of this state which have been purchased but not fully paid for ;

A bill to extend the time for the collection of certain taxes in the township of Norton, in the county of Ottawa ;

A bill to incorporate the village of Hillsdale ;

A bill authorizing Allen A. Rabineau to build a dam across the river Raisin, in the county of Monroe ;

A bill to authorize the supervisors of the county of Ionia to expend certain moneys ;

A bill to provide for the improvement of the Detroit and Saginaw turnpike, between Flint and Saginaw, and

A bill to provide for the removal of the seat of government of this state, and for other purposes.

On motion of Mr. J. D. Pierce,  
The House adjourned.

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*Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Coates, Kinne, Knight, Turner and Upton were absent on leave, and Messrs. Driggs, Eaton, Edmunds, Goodwin, Johnson, Lomis, Marantette, McFarlan, Noble, O'Malley, Renwick, Seeley, H. W. Taylor, and Van Duser were absent without leave.

On motion of Mr. J. D. Pierce,

The committee of the whole were discharged from the consideration of the bill to cede jurisdiction to the United States over lands to be occupied as sites for light houses within this state, and the bill was ordered to be engrossed and read the third time.

The bill having been engrossed,

On motion of Mr. J. D. Pierce,

The rule was suspended, and the bill was read the third time and passed.

Mr. Fralick, by unanimous consent, introduced a joint resolution relative to the claims of John Monroe, which was read twice, referred to the committee of the whole and placed on the general order.

The House then resolved itself into committee of the whole, on the general order, Mr. Throop in the chair.

After some time the committee rose, and by their chairman reported back to the House without amendment,

A bill to authorize the purchase of certain prison discipline reports ;

A bill to dispose of certain statute books within this state ;

A bill to provide for the collection of a special tax for the improvement of the territorial or Vistula road in the counties of Lenawee and Hillsdale ; and

A joint resolution relative to the claim of John Monroe.

The committee also reported back with amendments, in which the concurrence of the House was asked,

A bill to provide for the adjustment of the mortgage held by the state on the Detroit and Pontic rail road ;

A bill to aid in the construction of the Corunna and Northampton turnpike ;

A bill imposing penalties for obstructing the passage of fish in navigable streams and streams meandered in the United States survey ; and a joint resolution authorizing the auditor general to insure state property.

The amendment striking out all after the enacting clause, to the bill imposing penalties for obstructing the passage of fish in navigable streams, and streams meandered in the United States survey, was concurred in, and the further consideration of the enacting clause indefinitely postponed.

The amendment, striking out all after the resolving clause, to the joint resolution authorizing the auditor general to insure certain state property, was concurred in, and the further consideration of the resolving clause was indefinitely postponed.

The amendment, striking out all after the enacting clause, to the bill to aid in the construction of the Corunna and Northampton turnpike, was concurred in by the following vote :

YEAS.

Mr. Arzeno,  
Brooks,  
Chubb,  
Clark,  
Culver,  
Darruh,  
Davis n,  
Edmunds,  
Ferrington,  
Fralick,

Mr. Goodell,  
Goodwin,  
Goodyear,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Lomis,  
Makley,  
McFarlan,

Mr. McGraw  
G. W. Moore,  
Noble,  
D. Pierce,  
J. D. Pierce,  
Price,  
Renwick,  
H. W. Taylor,  
Throop,

## NAYS.

Mr. Adam,  
Britain,  
Deming,  
Driggs,  
Faxon,  
Glen,  
Goodrich,  
Harris,

Mr. Jones,  
Kelsey,  
Kilborn,  
Miller,  
H. Mower,  
O'Malley,  
Pond,

Mr. Seeley,  
Seymour,  
Shaw,  
Shook,  
Turner,  
Walker,  
Speaker,

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And the further consideration of the enacting clause was indefinitely postponed.

The amendment to, being a substitute, for the bill to provide for an adjustment of the mortgage held by the state upon the Detroit and Pontiac railroad, was concurred in, and the substitute ordered to be engrossed and read the third time.

The bill to dispose of certain statute books of this state, was ordered to be engrossed and read the third time.

Mr. Goodwin moved to strike out all after the enacting clause of the bill to provide for the collection of a special tax for the improvement of the territorial or Vistula road, in the counties of Lenawee and Hillsdale, which motion was decided in the negative by the following vote:

## YEAS.

Mr. Arzeno,  
Brown,  
Chubb,  
Culver,  
Edmunds,  
Ferrington,

Mr. Goodell,  
Goodwin,  
Hollister,  
Jones,  
McFarlan,

Mr. Noble,  
D. Pierce,  
Renwick,  
Throop,  
Speaker,

16

## NAYS.

Mr. Adam,  
Barker,  
Britain,  
Brooks,  
Clark,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Faxon,  
Fralick,  
Glen,

Mr. Goodrich,  
Goodyear,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
McGraw,  
Miller,  
G. W. Moore,

Mr. H. Mower,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
Upton,  
Van Duser,  
Walker,

38

The bill was then ordered to be read the third time.

The joint resolution relative to the claims of John Monroe, and



The bill to authorize the purchase of certain prison discipline reports, were severally ordered to be engrossed and read the third time.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, March 15, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to return a “bill to incorporate the Adrian and Coldwater plank road company,” which the Senate have passed with amendments thereto, and in which the concurrence of the House is respectfully asked.

I am further instructed to return a “bill to amend an act entitled an act to incorporate the Marshall and Union City plank road company,” and respectfully inform the House that the Senate have non-concurred therein.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The Senate amendments to the bill to incorporate the Adrian and Coldwater plank road company, were concurred in by a two-thirds vote, as follows :

YEAS.

Mr. Adam,  
Ball,  
Britain,  
Brooks,  
Brown,  
Chubb,  
Culver,  
Deming,  
Driggs,  
Dyckman,  
Edmunds,  
Faxon,  
Goodell,

Mr. Goodrich,  
Goodyear,  
Harris,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
McGraw,

Mr. Miller,  
H. Mower,  
D. Pierce,  
Pond,  
Seeley,  
Seymour,  
Shook,  
Throop,  
Upton,  
Van Duser,  
Walker,  
Speaker.

87

NAYS.

Mr. Arzeno,  
Barker,  
Clark,  
Darruh,  
Davison,  
Ferrington,

Mr. Fralick,  
Glen,  
Goodwin,  
Haydon,  
McFarlan,

Mr. G. W. Moore,  
Noble,  
J. D. Pierce,  
Price,  
Renwick,

16

And the bill as amended was ordered to be enrolled.

## NAYS.

Mr. Adam,  
Britain,  
Deming,  
Driggs,  
Faxon,  
Glen,  
Goodrich,  
Harris,

Mr. Jones,  
Kelsey,  
Kilborn,  
Miller,  
H. Mower,  
O'Malley,  
Pond,

Mr. Seeley,  
Seymour,  
Shaw,  
Shook,  
Turner,  
Walker,  
Speaker,

22

And the further consideration of the enacting clause was indefinitely postponed.

The amendment to, being a substitute, for the bill to provide for an adjustment of the mortgage held by the state upon the Detroit and Pontiac railroad, was concurred in, and the substitute ordered to be engrossed and read the third time.

The bill to dispose of certain statute books of this state, was ordered to be engrossed and read the third time.

Mr. Goodwin moved to strike out all after the enacting clause of the bill to provide for the collection of a special tax for the improvement of the territorial or Vistula road, in the counties of Lenawee and Hillsdale, which motion was decided in the negative by the following vote:

## YEAS.

Mr. Arzeno,  
Brown,  
Chubb,  
Culver,  
Edmunds,  
Ferrington,

Mr. Goodell,  
Goodwin,  
Hollister,  
Jones,  
McFarlan,

Mr. Noble,  
D. Pierce,  
Renwick,  
Throop,  
Speaker,

16

## NAYS.

Mr. Adam,  
Barker,  
Britain,  
Brooks,  
Clark,  
Darrah,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Faxon,  
Fralick,  
Glen,

Mr. Goodrich,  
Goodyear,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
McGraw,  
Miller,  
G. W. Moore,

Mr. H. Mower,  
O'Malley,  
J. D. Pierce,  
Pond,  
Price,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
Upton,  
Van Duser,  
Walker,

38

The bill was then ordered to be read the third time.

The joint resolution relative to the claims of John Monroe, and

The bill to authorize the purchase of certain prison discipline reports, were severally ordered to be engrossed and read the third time.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, March 15, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to return a “bill to incorporate the Adrian and Coldwater plank road company,” which the Senate have passed with amendments thereto, and in which the concurrence of the House is respectfully asked.

I am further instructed to return a “bill to amend an act entitled an act to incorporate the Marshall and Union City plank road company,” and respectfully inform the House that the Senate have non-concurred therein.

Respectfully, &c.,

JAS. E. PLATT,

*Secretary of Senate.*

The Senate amendments to the bill to incorporate the Adrian and Coldwater plank road company, were concurred in by a two-thirds vote, as follows :

YEAS.

Mr. Adam,  
Bell,  
Britain,  
Brooks,  
Brown,  
Chubb,  
Culver,  
Deming,  
Driggs,  
Dyckman,  
Edmunds,  
Faxon,  
Goodell,

Mr. Goodrich,  
Goodyear,  
Harris,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
McGraw,

Mr. Miller,  
H. Mower,  
D. Pierce,  
Pond,  
Seeley,  
Seymour,  
Shook,  
Throop,  
Upton,  
Van Duser,  
Walker,  
Speaker.

87

NAYS.

Mr. Arzeno,  
Barker,  
Clark,  
Darruh,  
Davison,  
Ferrington,

Mr. Fralick,  
Glen,  
Goodwin,  
Haydon,  
McFarlan,

Mr. G. W. Moore,  
Noble,  
J. D. Pierce,  
Price,  
Renwick,

16

And the bill as amended was ordered to be enrolled.

On motion of Mr. Clark,

The vote by which the bill to incorporate the Kalamazoo and Grand river railroad company was lost, was reconsidered, and the question recurring on the passage of the bill, it was passed by a two-thirds vote, as follows:

YEAS.		
Mr. Adam, Barker, Bell, Britain, Brooks, Brown, Chubb, Clark, Culver, Denning, Driggs, Dyckman, Edmunds, Faxon,	Mr. Glen, Goodell, Goodrich, Goodwin, Goodyear, Harris, Haydon, Hebard, Harrington, Hollister, Jennings, Kelsey, Kilborn, Makley,	Mr. H. Mower, D. Pierce, Renwick, Seymour, Shaw, Shook, C. H. Taylor, H. W. Taylor, Throop, Upton, Van Duser, Walker, Speaker,
		41
NAYS.		
Mr. Arzeno, Darrah, Ferrington, Fralick, Lomis,	Mr. McFarlan, McGraw, Miller, G. W. Moore,	Mr. Noble, Price, Pond, Seeley,
		13

On motion of Mr. Seymour,

The rules were suspended to enable him to move a reconsideration of the vote by which the bill to incorporate the Chippewa Portage company, was lost on its passage, and the vote was reconsidered.

On motion of Mr. Adam,

The bill was committed to the committee on state affairs with instructions to insert after the name of Andrew Harvie, in the first line of section one, the names of Lowell W. Tinker, Joseph V. Brown and Orville B. Dibble, and to otherwise amend the bill so as make the parts consistent with each other, if any such amendments are necessary.

On motion of Mr. Deming,

The bill to incorporate the Hillsdale and Coldwater plank road company, was taken from the table.

On motion of Mr. Adam,

The bill was recommitted to the committee on banks and incorpora-

tions, with instructions to so amend it as to make it conform in its provisions of the bill to incorporate the Adrian and Coldwater plank road company.

Mr. Goodwin, from the committee on ways and means, reported a bill to provide for the payment of interest on the internal improvement debt of this state, and for other purposes, which was read twice, when

Mr. Fralick moved to amend the third section by adding thereto the following:

"Amend section one hundred and seven of chapter fifty-eight of the revised statutes of 1846, as follows: Strike out the word "one" before "mill" in the second line, and insert "one half of a," and strike out after the word 'year' in the third line, the word 'and twenty-five dollars of the same shall be applied to the purchase of books for the township library, and the remainder thereof,' and insert in lieu thereof 'which.'"

Which amendment was rejected, and the bill ordered to be engrossed and read the third time.

It having been engrossed, on motion of Mr. Adam, the rule was suspended, and the bill read the third time and passed.

Mr. Price, from the committee on engrossment and enrollment, reported that the House amendments to the bill to incorporate the St. Mary's canal company were correctly engrossed, and the bill was read the third time and passed by a two-thirds vote as follows:

YEAS.

Mr. Adam,  
Bell,  
Brooks,  
Brown,  
Clark,  
Culver,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Faxon,  
Fralick,  
Goodell,  
Goodrich,

Mr. Goodwin,  
Haydon,  
Hebard,  
Jennings,  
Johnson,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
McGraw,  
Miller,  
G. W. Moore,  
H. Mower,  
D. Pierce,

Mr. Pond,  
Renwick,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Upton,  
Van Duser,  
Walker,  
Speaker,

41

NAYS.

Mr. Arzeno  
Barker,

Mr. Edmunds,  
Ferrington,

Mr. Hollister,  
McFarlan,

Britain,  
Chubb,  
Darrah,

Goodyear,  
Harrie,  
Harrington,

Noble,  
Price,

14

Mr. Noble, from the committee on the judiciary, reported back, without amendment, and recommended its passage, the Senate bill to provide for special elections in case of vacancy in the office of county judge, and it was ordered to be read the third time.

On motion of Mr. Noble,

The rule was suspended and the bill read the third time and passed.

Mr. Goodwin, from the committee on state affairs, reported back the bill to incorporate the Chippewa Portage Company, amended in accordance with the instructions of the House, and the bill was then passed by the constitutional vote, as follows:

## YEAS.

Mr. Adam,  
Barker,  
Bell,  
Britain,  
Brooks,  
Brown,  
Clark,  
Culver,  
Davison,  
Deming,  
Driggs,  
Dyckman,  
Edmunds,  
Faxon,  
Goodell,

Mr. Goodrich,  
Goodwin,  
Harris,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Johnson,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
McGraw,

Mr. Miller,  
H. Mower,  
O'Malley,  
Pond,  
Seeley,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
Throop,  
Upton,  
Van Duser,  
Walker,  
Speaker,

43

## NAYS.

Mr. Arzeno,  
Chubb,  
Ferrington,  
Fralick,

Mr. Glen,  
Goodyear,  
McFarlan,  
G. W. Moore,

Mr. Noble,  
D. Pierce,  
Price,  
Renwick, 12

Mr. Price, from the committee on engrossment and enrollment, reported that the following bills and joint resolutions were correctly enrolled and were this day presented to the Governor for his approval, viz:

A bill to amend the revised statutes of 1846, in relation to the assignment of dower;

A bill to organize certain townships in the counties of Marquette, Houghton, Schoolcraft and Ontonagon :

A bill to amend an act entitled an act to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company ;

A bill to amend an act entitled an act to incorporate the Adrian Seminary, approved January 30, 1846 ;

A joint resolution relative to the settlement of a claim of Edward D. Ellis and William H. H. Briggs ;

A joint resolution relative to the surveys of the United States military roads within this state ;

A joint resolution in relation to bonds and mortgages given to secure loans from the university and school funds ; and

A joint resolution relative to building expenses at the state prison.

Mr. Price, from the same committee, reported as correctly engrossed

A bill to dispose of certain statute books within this state ;

A bill to authorize the purchase of certain prison discipline reports

A joint resolution relative to the claim of John Monroe ; and

The House substitute for the Senate bill to provide for an adjustment of the mortgage held by the state upon the Detroit and Pontiac Railroad.

On motion of Mr. O'Malley,

The House adjourned.

*Tuesday, March 16, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Coates, Kinne, Knight, and Turner, were absent on leave, and Messrs. Barker, Bell, Britain, Darrah, Eaton, Goodyear, Johnson, and Noble were absent without leave.

Mr. C. H. Taylor asked and obtained leave of absence for Messrs. Bell and Goodyear for the remainder of the session.

Mr. H. Mower for Mr. Barker for the same time.

Mr. Adam, by unanimous consent, introduced a joint resolution in relation to the state printing and binding for 1848, which was read twice, and ordered to be engrossed and read the third time.

The joint resolution having been engrossed,

On motion of Mr. Adam;

The rule was suspended, and the joint resolution read the third time and passed.

Mr. Goodwin, by unanimous consent, introduced a joint resolution relative to the notes, illustrations and engravings belonging to the geological department, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Adam offered a concurrent resolution suspending the action of the tenth joint rule, which was adopted.

On motion of Mr. Price,

*Resolved*, That the enrolling and engrossing clerk be and he is hereby authorized to employ such assistants as he may deem necessary.

Mr. Goodrich offered the following resolution:

*Resolved*, That the Senate be requested to return to this House the bill to aid in the construction of the Corunna and Northampton turnpike.

On motion of Mr. Fralick,

The resolution was amended by adding thereto the words "together with the bill to improve the navigation of the St. Joseph river."

On motion of Mr. Johnson,

The resolution was laid on the table.

The bill to provide for the collection of a special tax for the improvement of the territorial or Vistula road in the counties of Lenawee and Hillsdale, was read the third time and passed by the following vote:

#### YEAS.

Mr. Adam  
Brooks,  
Clark,  
Darrah,  
Davison,  
Deming,  
Faxon,  
Glen,  
Goodrich,  
Harris,

Mr. Hebard,  
Kelsey,  
Kilborn,  
Lomis,  
Makley,  
Marantette,  
McGraw,  
Miller,  
G. W. Moore,

Mr. J. D. Pierce,  
Pond,  
Price,  
Shaw,  
Shook,  
Truesdell,  
Upton,  
Van Duser,  
Walker,

28

#### NAYS.

Mr. Arzeno,  
Britain,

Mr. Goodell,  
Goodwin,

Mr. Noble,  
O'Malley,



Brown,  
Chubb,  
Culver,  
Edmunds,  
Ferrington,  
Fralick,

Harrington,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
McFarlan,

D. Pierce,  
Renwick,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Speaker, 24

The bill to provide for the adjustment of the mortgage held by the state upon the Detroit and Pontiac Railroad;

The bill to authorize the purchase of certain prison discipline reports.

The bill to dispose of certain statute books within this state; and

The joint resolution relative to the claim of John Monroe,

Were severally read the third time and passed.

The House then resolved itself into committee of the whole on the general order. Mr. J. D. Pierce in the chair.

After a short time, the committee rose and by their chairman reported back with amendments in which the concurrence of the House was asked, the joint resolution relative to the notes, illustrations and engravings belonging to the geological department.

On motion of Mr. Adam,

The amendment was amended by striking out "one dollar and fifty cents" and inserting "two dollars and fifty cents."

The amendment as amended was then concurred in by the House.

On motion of Mr. Adam,

The following proviso was added to the joint resolution:

"Provided, That the same shall not be sold for less than five hundred dollars."

The joint resolution was then ordered to be engrossed and read the third time.

On motion of Mr. Edmunds,

The House adjourned.

#### *Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Barker, Bell, Coates, Goodyear, Kinne, Knight and Turner were absent on leave, and Messrs. Britain, Johnson, Jones, O'Malley, Pond, Seeley, Seymour, C. H. Taylor and Upton were absent without leave.

Mr. Davison asked and obtained leave of absence for Mr. Seeley for the remainder of the session.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed, the joint resolution relative to the notes, illustrations and engravings belonging to the geological department.

The following communication was received from the Executive :

EXECUTIVE OFFICE, }  
Detroit, March 16, 1847. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State, "an act to incorporate the village of Hillsdale ;"

Also "an act to extend the time for the collection of certain taxes in the township of Norton, in the county of Ottawa ;"

Also "an act to authorize the supervisors of the county of Ionia to expend certain moneys ;"

Also "an act to repeal the charter of the borough of Michilimackinac ;"

Also "an act to amend the revised statutes of 1846, relative to assignment of dower ;"

Also "joint resolution relative to a settlement of the claim of Edward D. Ellis and William H. H. Briggs ;"

Also "an act authorizing Allen A. Rabineau to build a dam across the River Raisin, in the county of Monroe ;"

Also "an act to provide for the improvement of the Detroit and Saginaw Turnpike between Flint and Saginaw ;"

Also "an act making appropriations for stationery for members of the House of Representatives ;"

Also "an act to authorize Prosper Bunyea to keep up a dam across the Huron river, in the county of Oakland ;"

Also "an act to provide for the payment of damages for the right of way through the public lands of this state which have been purchased but not fully paid for ;"

Also "an act to incorporate the Pioneer Smelting Company of the Upper Peninsula of Michigan ;"

Also "an act to organize certain townships in the counties of Marquette, Houghton, Schoolcraft and Ontonagon ;"

Also "joint resolution relative to the surveys of the United States military roads within this state ;"

Also "an act to locate the capitol, pursuant to section nine of article twelve of the constitution of this state ;"

Also "an act to provide for the removal of the seat of government of this state, and for other purposes."

WM. L. GREENLY.

The following messages were received from the Senate :

SENATE CHAMBER, }  
Detroit, March 16, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the resolution suspending the tenth joint rule, and to respectfully inform you that the Senate have concurred therein.

Respectfully, &c.,

JAS. E. PLATT,  
Sec. Senate.

SENATE CHAMBER. }  
Detroit, March 16, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the "bill to cede jurisdiction to the United States over lands to be occupied as sites of light houses within this state," and the "bill to amend an act entitled an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846," and to respectfully inform you that the Senate have passed the same with amendments, in which they respectfully ask the concurrence of the House.

Also to respectfully inform you that the Senate have concurred in the House amendments to the "bill to improve the navigation of the St. Joseph river," and the "bill to incorporate the Chippewa Portage Company," and have ordered the bills as amended to be enrolled.

Your obedient servant.

JAS. E. PLATT,  
Secretary of Senate.

On motion of Mr. J. D. Pierce,

The Senate amendments to (being a substitute for) the bill to cede jurisdiction to the United States over certain lands to be occupied as

sites for light houses, was amended by adding to the first section, the proviso to the first section of the original bill, and the amendment, as amended, was then concurred in.

On motion of Mr. Goodwin,

The bill to amend an act entitled an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846, together with the Senate amendments thereto, was referred to the committee on judiciary.

Mr. Goodwin, from the committee on banks and incorporations, reported back the bill to incorporate the Hillsdale and Coldwater Plank Road Company, amended in accordance with the instructions of the House, and the bill was passed by a two-thirds vote, as follows:

#### YEAS.

Mr. Adam,	Mr. Goodell,	Mr. Miller,	
Britain,	Goodrich,	H. Mower,	
Brooks,	Harris,	D. Pierce,	
Brown,	Hebard,	Seymour,	
Chubb,	Hollister,	Shaw,	
Clark,	Kelsey,	Truesdell,	
Culver,	Lomis,	Van Duser,	
Darrah,	Makley,	Walker,	
Deming,	Marantette,	Speaker,	
Faxon,	McGraw,		29

#### NAYS.

Mr. Edmunds,	Mr. Haydon,	Mr. Price,	
Ferrington,	Harrington,	Renwick,	
Fralick,	Jennings,	Shook,	
Glen,	McFarlan,	Throop,	
Goodwin,	G. W. Moore,		14

Mr. Edmunds, by unanimous consent, introduced a bill to amend an act entitled an act to provide for the removal of the seat of government of this state, and for other purposes, which was read twice and referred to the committee of the whole and placed on the general order.

On motion of Mr. Goodwin,

The rule was suspended, and the joint resolution relative to notes, illustrations, and engravings belonging to the geological department, was read the third time and passed.

The House then resolved itself into committee of the whole on the general order, Mr. H. Mower in the chair.

And after a short time spent thereon, the committee rose, and by their chairman reported back with an amendment, in which the concurrence of the House was asked, the bill to amend an act entitled an act to provide for the removal of the seat of government of this state and for other purposes.

The amendment was concurred in, and

On motion of Mr. Adam,

The bill was recommitted to the committee of the whole.

The House then went into committee of the whole on said bill, Mr. Adam in the chair,

And after a short time, the committee rose, and by their chairman reported the bill back to the House,

And it was ordered to be engrossed and read the third time.

On motion of Mr. Goodwin,

The rule was suspended to enable the bill to be read the third time to-day.

The Speaker announced the following message from the Senate :

SENATE CHAMBER, }  
Detroit, March 16, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the “bill to incorporate the St. Mary’s Canal Company,” and respectfully inform the House that the Senate have concurred in the first amendment, with an amendment to the same, striking out all after “following,” in line two, and inserting; “unless the whole amount of stock shall be subscribed at ten dollars each.”

I am also instructed to inform you that the Senate have non-concurred in the 2nd, 3rd, 4th and 6th House amendments, and have concurred in the 5th House amendment.

I am further instructed to inform you that the Senate have concurred in the 7th House amendment, with an amendment, striking out the word “half” and inserting the words “three fourths.”

Your obedient servant,

JAMES E. PLATT,

*Secretary of the Senate.*

The House non-concurred in the Senate amendments to the House amendments to the bill to incorporate the St. Mary’s Canal Company, and insisted on their amendments thereto.

On motion of Mr. J. D. Pierce,

A committee of conference was ordered to be appointed on the part of the House on the disagreement between the two Houses on said bill, and the appointment of a like committee asked on the part of the Senate.

The Speaker appointed as such committee Messrs. J. D. Pierce, Adam and Seymour.

Mr. J. D. Pierce, from the committee on federal relations, reported back the petition of Cornelius Mitchell, relative to a pension, and asked to be discharged from its further consideration.

The report was accepted, and the committee discharged.

Mr. Goodrich moved to take from the table the resolution requesting the Senate to return certain bills, which motion was lost.

Mr. Adam, from the committee on ways and means, reported back the following resolution, and asked to be discharged from its further consideration, as no legislative action was now necessary :

*Resolved*, That the committee on ways and means be instructed to inquire what further legislation is necessary to secure the treasury of the state against frauds in the several counties of the state, and that said committee be permitted to report by bill or otherwise.

The report was accepted and the committee discharged.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

The bill to amend an act entitled an act to provide for the removal of the seat of government of this state, and for other purposes.

Mr. Price, from the same committee, also reported that the following bills and joint resolution were correctly enrolled and were this day presented to the governor for his approval :

A bill to amend an act entitled an act to incorporate the city of Monroe, approved March 22, 1837, and likewise amendatory of an act entitled an act to amend the act entitled an act to incorporate the city of Monroe, approved April 6, 1838 ;

A bill to organize certain townships, and for other purposes ;

A bill to incorporate the Adrian and Coldwater Plank Road Company ;

A bill to incorporate the Detroit River Marine Railway Company ;  
and

A joint resolution in relation to certain state tax lands, and other lands.

The following message was received from the Senate:

SENATE CHAMBER,  
Detroit, March 16, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the “bill to amend the charter of the city of Detroit,” and to respectfully inform you that the Senate has passed the same.

Also to transmit a “bill to provide for the election of certain officers,” which the Senate have passed and in which the concurrence of the House is respectfully asked.

Your ob’t serv’t,

JAMES E. PLATT,

*Sec. Senate.*

The bill to amend the charter of the city of Detroit was ordered to be enrolled.

The Senate bill to provide for the election of certain officers, was read twice and referred to the committee on state affairs.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, March 16, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit “a bill to amend an act entitled an act to incorporate the Grand River Valley Rail Road Company, approved May 4, 1846;” and

“A bill to confirm certain rights to James B. Dunkin,” which the Senate have passed and in which the concurrence of the House is asked.

Also “a bill to provide for an adjustment of the mortgage held by the State upon the Detroit and Pontiac Rail Road,” and respectfully inform you that the Senate have non-concurred in the House substitute therefor.

Also to inform you that the Senate have concurred in the House amendments to the “bill to incorporate the Kalamazoo and Grand River Rail Road Company,” and have ordered the bill as amended to be enrolled.

Also to return House "joint resolution relative to the claim of John Monroe," which the Senate have adopted.

I am also instructed to transmit a "joint resolution proposing an amendment to the constitution," which the Senate have adopted and in which the concurrence of the House is respectfully requested.

Respectfully, &c.,

JAS. E. PLATT,  
*Sec. Senate.*

The joint resolution relative to the claim of John Monroe was ordered to be enrolled.

The joint resolution proposing an amendment to the constitution, was read twice and referred to committee on state affairs.

The bill to confirm certain rights to James B. Dunkin, was read twice, and referred to the committee on the judiciary,

The bill to amend an act entitled an act to incorporate the Grand River Valley Railroad Company, approved May 4, 1846, was read twice and referred to the committee on banks and incorporations.

The bill to provide for an adjustment of the mortgage held by the state, upon the Detroit and Pontiac Railroad, being under consideration,

On motion of Mr. Britain,

A call of the House was had, and Messrs. Adam, Culver, Deming, Dyckman, Fralick, Glen, Goodwin, Harris, Haydon, Hebard, Jennings, Johnson, Jones, Makley, Marantette, Miller, Noble, Renwick, Shaw, C. H. Taylor, H. W. Taylor, Truesdell and Upton were absent without leave.

On motion of Mr. Edmunds,

The sergeant-at-arms was directed to inform the absentees that their presence was required in the House.

The absentees having returned, all further proceedings under the call were dispensed with.

The House then resumed the consideration of the bill to provide for an adjustment of the mortgage held by the state upon the Detroit and Pontiac Railroad, and

Mr. Goodrich moved that the House recede from their amendment thereto, which motion was lost by the following vote :

YEAS.

Mr. Clark,  
Goodrich,

Mr. O'Malley,

Mr. Pond,



A joint resolution in relation to certain state tax lands, and other lands.

The following message was received from the Senate:

SENATE CHAMBER,  
Detroit, March 16, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the “bill to amend the charter of the city of Detroit,” and to respectfully inform you that the Senate has passed the same.

Also to transmit a “bill to provide for the election of certain officers,” which the Senate have passed and in which the concurrence of the House is respectfully asked.

Your ob’t serv’t,

JAMES E. PLATT,

*Sec. Senate.*

The bill to amend the charter of the city of Detroit was ordered to be enrolled.

The Senate bill to provide for the election of certain officers, was read twice and referred to the committee on state affairs.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, March 16, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit “a bill to amend an act entitled an act to incorporate the Grand River Valley Rail Road Company, approved May 4, 1846 ;” and

“A bill to confirm certain rights to James B. Dunkin,” which the Senate have passed and in which the concurrence of the House is asked.

Also “a bill to provide for an adjustment of the mortgage held by the State upon the Detroit and Pontiac Rail Road,” and respectfully inform you that the Senate have non-concurred in the House substitute therefor.

Also to inform you that the Senate have concurred in the House amendments to the “bill to incorporate the Kalamazoo and Grand River Rail Road Company,” and have ordered the bill as amended to be enrolled.

The bill to amend an act entitled an act to provide for the removal of the seat of government of this state, and for other purposes, was read the third time and passed.

• The following communication was received from the Executive:

EXECUTIVE OFFICE,  
Detroit, March 16, 1847. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

“An act to incorporate the Detroit River Marine Railway Company.”

Also, “an act to incorporate the Adrian and Coldwater Plank Road Company.”

WM. L. GREENLY.

Mr. Seymour, by unanimous consent, introduced a bill to legalize the election of officers under the act entitled an act to organize the the counties of Houghton, Schoolcraft, Ontonagon and Marquette, and for other purposes, approved May 18, 1846, which was read twice and referred to the committee on the judiciary.

Mr. Noble, from the committee on the judiciary, reported back the bill to confirm certain rights to James B. Dunkin, and reported adverse to its passage.

Mr. Edmunds moved to strike out all after the enacting clause, pending which,

On motion of Mr. Adam,

The bill was laid on the table.

Mr. Hollister asked and obtained leave to withdraw from the files of the House the proposition and accompanying papers, of the board of supervisors of Jackson county in relation to the location of the capitol.

Mr. Fralick asked and obtained the same leave in regard to the papers submitted from Wayne county on the same subject.

Mr. J. D. Pierce asked and obtained the same leave in regard to the papers from Calhoun county on the same subject.

Mr. Goodwin, from the committee on banks and incorporations, reported back the bill to amend an act entitled an act to incorporate

the Grand River Valley Railroad Company, approved May 4, 1846, with sundry amendments, and recommended its passage.

The amendments were concurred in, ordered to be engrossed, and the bill ordered to a third reading.

Mr. Goodwin, from the committee on elections, reported back the bill to provide for the election of certain officers, and reported adverse to its passage.

On motion of Mr. D. Pierce,

All after the enacting clause of the bill was stricken out, and the further consideration of the enacting clause was indefinitely postponed.

Mr. Goodwin, from the same committee, reported back the joint resolution proposing an amendment to the constitution, and recommended its passage.

The joint resolution was ordered to a third reading, and the rule having been suspended, it was read the third time and passed by yeas and nays as follows :

YEAS.

Mr. Adam,  
Britain,  
Brown,  
Chubb,  
Clark,  
Culver,  
Davison,  
Driggs,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,  
Goodell,

Mr. Goodrich,  
Goodwin,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Kilborn,  
Lomis,  
Marantette,  
McGraw,  
Miller,

Mr. Noble,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Seymour,  
Shaw,  
Shook,  
Van Duser,  
Walker,  
Speaker,

37

NAYS.

Mr. Arzeno,  
Darrah,  
Eaton,

Mr. McFarlan,  
G. W. Moore,

Mr. O'Malley,  
Throop,

7

Mr. Noble, from the committee on the judiciary, reported back the bill to legalize the election of officers under the act entitled an act to organize the counties of Houghton, Schoolcraft, Ontonagon and Marquette, and for other purposes, approved May 18, 1846, and reported adverse to its passage.

The bill to amend an act entitled an act to provide for the removal of the seat of government of this state, and for other purposes, was read the third time and passed.

• The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Detroit, March 16, 1847. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

“An act to incorporate the Detroit River Marine Railway Company.”

Also, “an act to incorporate the Adrian and Coldwater Plank Road Company.”

WM. L. GREENLY.

Mr. Seymour, by unanimous consent, introduced a bill to legalize the election of officers under the act entitled an act to organize the the counties of Houghton, Schoolcraft, Ontonagon and Marquette, and for other purposes, approved May 18, 1846, which was read twice and referred to the committee on the judiciary.

Mr. Noble, from the committee on the judiciary, reported back the bill to confirm certain rights to James B. Dunkin, and reported adverse to its passage.

Mr. Edmunds moved to strike out all after the enacting clause, pending which,

On motion of Mr. Adam,

The bill was laid on the table.

Mr. Hollister asked and obtained leave to withdraw from the files of the House the proposition and accompanying papers, of the board of supervisors of Jackson county in relation to the location of the capitol.

Mr. Fralick asked and obtained the same leave in regard to the papers submitted from Wayne county on the same subject.

Mr. J. D. Pierce asked and obtained the same leave in regard to the papers from Calhoun county on the same subject.

Mr. Goodwin, from the committee on banks and incorporations, reported back the bill to amend an act entitled an act to incorporate

the Grand River Valley Railroad Company, approved May 4, 1846, with sundry amendments, and recommended its passage.

The amendments were concurred in, ordered to be engrossed, and the bill ordered to a third reading.

Mr. Goodwin, from the committee on elections, reported back the bill to provide for the election of certain officers, and reported adverse to its passage.

On motion of Mr. D. Pierce,

All after the enacting clause of the bill was stricken out, and the further consideration of the enacting clause was indefinitely postponed.

Mr. Goodwin, from the same committee, reported back the joint resolution proposing an amendment to the constitution, and recommended its passage.

The joint resolution was ordered to a third reading, and the rule having been suspended, it was read the third time and passed by yeas and nays as follows :

YEAS.

Mr. Adam,  
Britain,  
Brown,  
Chubb,  
Clark,  
Culver,  
Davison,  
Driggs,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,  
Goodell,

Mr. Goodrich,  
Goodwin,  
Haydon,  
Hebard,  
Harrington,  
Hollister,  
Jennings,  
Kilborn,  
Lomis,  
Marantette,  
McGraw,  
Miller,

Mr. Noble,  
D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Seymour,  
Shaw,  
Shook,  
Van Duser,  
Walker,  
Speaker,

37

NAYS.

Mr. Arzeno,  
Darrah,  
Eaton,

Mr. McFarlan,  
G. W. Moore,

Mr. O'Malley,  
Throop,

7

Mr. Noble, from the committee on the judiciary, reported back the bill to legalize the election of officers under the act entitled an act to organize the counties of Houghton, Schoolcraft, Ontonagon and Marquette, and for other purposes, approved May 18, 1846, and reported adverse to its passage.

On motion of Mr. Goodwin,

The further consideration of the bill was indefinitely postponed.

Mr. Adam, from the committee on ways and means, reported back the bill to amend an act entitled an act providing for the final adjustment of all unsettled claims for damages growing out of the internal improvements of this state, approved March 8, 1843, and reported adverse to its passage ; and on his motion its further consideration was indefinitely postponed.

Mr. Price, from the committee on engrossment and enrollment, reported as correctly engrossed,

The House amendments to the Senate bill to amend an act entitled an act to incorporate the Grand River Valley Rail Road Company, approved May 4, 1846.

On motion of Mr. J. D. Pierce,

The House adjourned until seven o'clock this evening.

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*Evening Session.*

The House met pursuant to adjournment and was called to order by the Speaker.

On calling the roll, Messrs. Barker, Bell, Coates, Kinne, Knight, Seeley and Turner were absent on leave, and Messrs. Driggs, Dyckman, Faxon, Goodell, Kilbarn, Marantette, O'Malley, J. D. Pierce, Seymour, Shook and Upton were absent without leave.

Mr. Deming asked and obtained leave of absence for Mr. Faxon for the evening.

Mr. Davison for Mr. Upton for the same time.

Mr. Truesdell moved a suspension of the rules to enable him to introduce a bill, which motion was lost by the following vote, two-thirds not voting in the affirmative :

YEAS.

Mr. Britain,  
Brooks,  
Brown,  
Chubb  
Clark,  
Culver,  
Davison,  
Edmunds,  
Harris,

Mr. Haydon,  
Hollister,  
Jennings,  
Jones,  
Kelsey,  
Lomis,  
Makley,  
McGraw,

Mr. H. Mower,  
D. Pierce,  
Renwick,  
Seymour,  
C. H. Taylor,  
H. W. Taylor,  
Truesdell,  
Speaker,

## NAYS.

Mr. Adam,  
Arzeno,  
Darrah,  
Deming,  
Eaton,  
Ferrington,  
Fralick,  
Glen,

Mr. Goodrich,  
Goodwin,  
Hebard,  
Harrington,  
Johnson,  
McFarlan,  
Miller,  
G. W. Moore,

Mr. Noble,  
Pond,  
Price,  
Shaw,  
Throop,  
Van Duser,  
Walker,

23

The bill to amend an act entitled an act to incorporate the Grand River Valley rail road company, approved May 4, 1946, was read the third time, when

Mr. Johnson moved to recommit the bill to the committee on banks and incorporations, with instructions to strike out the second and third amendments, which motion was lost.

Mr. Adam moved a reconsideration of the last vote, which motion prevailed by the following vote :

## YEAS.

Mr. Adam,  
Britain,  
Brown,  
Chubb,  
Culver,  
Deming,  
Glen,  
Goodwin,

Mr. Harris,  
Haydon,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Noble,

Mr. D. Pierce,  
Renwick,  
Shaw,  
C. H. Taylor,  
Truesdell,  
Van Duser,  
Walker,  
Speaker, 24

## NAYS.

Mr. Arzeno,  
Brooks,  
Clark,  
Darrah,  
Davison,  
Eaton,  
Edmunds,  
Ferrington,

Mr. Fralick,  
Goodrich,  
Hebard,  
Harrington,  
Lomis,  
Makley,  
McFarlan,  
McGraw,

Mr. Miller,  
G. W. Moore,  
J. D. Pierce,  
Pond,  
Price,  
H. W. Taylor,  
Throop, 23

The question then recurring on the motion to recommit, it prevailed by the following vote :

## YEAS.

Mr. Adam,  
Britain,  
Brooks,  
Brown,  
Chubb,  
Clark,

Mr. Goodrich,  
Harris,  
Haydon,  
Hollister,  
Jennings,  
Johnson,

Mr. H. Mower,  
D. Pierce,  
Renwick,  
Shaw,  
C. H. Taylor,  
Truesdell,

Culver,  
Deming,  
Glen,

Jones,  
Kelsey,

Walker,  
Spencer,

25

## NAYS:

Mr. Arzeno,  
Eaton,  
Edmunds,  
Fralick,  
Hebard,  
Harrington,  
Lomis,

Mr. Makley,  
McFarlan,  
McGraw,  
Miller,  
G. W. Moore,  
Noble,

Mr. J. D. Pierce,  
Pond,  
Price,  
H. W. Taylor,  
'Throop,'  
Van Duser,

19

The following communications were received from the Senate:

SENATE CHAMBER, }  
*Detroit, March 16, 1847:* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to respectfully inform you that Senators McReynolds, Denton and Parsons have been appointed a committee of conference on the disagreement between the two Houses on the "bill to incorporate the St. Mary's canal company."

Your obedient servant,

JAS. E. PLATT,

*Secretary of Senate.*

SENATE CHAMBER, }  
*Detroit, March 16, 1847.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to respectfully inform you that the Senate have concurred in the House amendments to the Senate amendments to the "bill to cede jurisdiction to the United States over lands to be occupied as sites of light houses within this state," which is herewith returned.

Also to respectfully inform you that the Senate have concurred in the House amendments to the "bill to incorporate the Hillsdale and Coldwater plank road company," and have ordered the same as amended to be enrolled.

Your ob't serv't,

JAMES E. PLATT,

*Sec. Senate.*

The bill to cede jurisdiction to the United States over certain lands to be occupied as sites for light houses within this state, was ordered to be enrolled.



Mr. Britain moved to suspend the rules to enable him to introduce a joint resolution, which motion was lost by the following vote, two thirds not voting in the affirmative:

YEAS.

Mr. Adam,	Mr. Harris,	Mr. Pond,	
Britain,	Haydon,	Price,	
Brooks,	Hollister,	Renwick,	
Brown,	Kelsey,	Shaw,	
Culver,	Lomis,	C. H. Taylor,	
Davison,	Makley,	H. W. Taylor,	
Deming,	McGraw,	Van Duser,	
Edmunds,	H. Mower,	Walker,	
Faxon,	Noble,	Speaker,	
Goodrich,	O'Malley,		29

NAYS.

Mr. Arzeno,	Mr. Goodwin,	Mr. Miller,	
Chubb,	Hebard,	G. W. Moore,	
Clark,	Harrington,	D. Pierce,	
Eaton,	Jennings,	J. D. Pierce,	
Ferrington,	Johnson,	Throop,	
Fralick,	Jones,	Truesdell,	
Glen,	McFarlan,		20

The following message was received from the Executive :

EXECUTIVE OFFICE, }  
*Detroit, March 16, 1847.* }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, "an act to amend the charter of the city of Detroit ;" also "joint resolution relative to the claim of John Munroe."

WM. L. GREENLY.

The following message was received from the Senate :

SENATE CHAMBER, }  
*Detroit, March 16, 1847.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to respectfully inform you that the Senate adhere to their non-concurrence in the House substitute to "a bill to provide for an adjustment of the mortgage held by the state upon the Detroit and Pontiac Rail Road."

Also to inform you that the Senate have concurred in the House amendments to the "bill to abolish the office of acting commissioner of internal improvement, and for other purposes," and have ordered the bill as amended to be enrolled.

I am also instructed to transmit "a bill providing for the payment of the assistant librarian and the private secretary of the governor," which the Senate have passed and in which the concurrence of the House is respectfully requested.

Respectfully, &c.,

JAS. E. PLATT,

*Sec. Senate.*

The bill providing for the payment of the assistant librarian and the private secretary of the governor, was read twice, and

On motion of Mr. Glen,

Amended by inserting "more than five days beyond," after the word "exceed," in the proviso to the first section.

The rules were suspended, the bill ordered to a third reading, read the third time and passed.

The House then took up the bill to provide for an adjustment of the mortgage held by the state upon the Detroit and Pontiac Rail Road, and,

On motion of Mr. Goodwin,

The House adhered to their amendment thereto.

The following message was received from the Senate:

SENATE CHAMBER,  
Detroit, March 16, 1847. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to respectfully inform you that the Senate have concurred in the report of the committee of conference upon the disagreement between the two Houses upon the bill to incorporate the St. Mary's Canal Company.

Your obedient servant,

JAMES E. PLATT,

*Secretary of the Senate.*

The bill to incorporate the St. Mary's Canal Company, was taken up, and the question being on concurring in the first Senate amendment to the House amendments, it was non-concurred in by the following vote, two thirds not voting in the affirmative:

YEAS.

Mr. Adam,  
Britain,  
Brooks,

Mr. Haydon,  
Hebard,  
Hollister,

Mr. O'Malley,  
J. D. Pierce,  
Pond,

Brown,  
Culver,  
Davison,  
Deming,  
Faxon,  
Fralick,  
Goodrich,  
Harris,

Johnson,  
Kelsey,  
Lomis,  
Makley,  
McGraw,  
Miller,  
G. W. Moore,  
H. Mower,

Seymour,  
Shaw,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Walker,  
Speaker,  
32

NAYS.

Mr. Arzeno,  
Chubb,  
Clark,  
Eaton,  
Edmunds,  
Ferrington,

Mr. Glen,  
Goodwin,  
Harrington,  
Jennings,  
McFarlan,  
Noble,

Mr. D. Pierce,  
Price,  
Renwick,  
Truesdell,  
Van Duser,  
17

The question then being on receding from the fourth House amendment to the bill, the House refused to recede by the following vote, two thirds not voting in the affirmative :

YEAS.

Mr. Adam,  
Britain,  
Brooks,  
Brown,  
Culver,  
Davison,  
Deming,  
Eaton,  
Fralick,  
Goodrich,  
Harris,

Mr. Haydon,  
Hebard,  
Hollister,  
Johnson,  
Kelsey,  
Makley,  
McFarlan,  
Miller,  
G. W. Moore,  
H. Mower,

Mr. O'Malley,  
J. D. Pierce,  
Pond, ●  
Seymour,  
Shaw,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Walker,  
Speaker,  
31

NAYS.

Mr. Arzeno,  
Chubb,  
Clark,  
Edmunds,  
Faxon,  
Ferrington,

Mr. Glen,  
Goodwin,  
Harrington,  
Jennings,  
Lomis,  
Noble,

Mr. D. Pierce,  
Price,  
Renwick,  
Truesdell,  
Van Duser,  
17

The House then concurred in the Senate amendment to the seventh House amendment to the bill, by the following vote, two thirds voting in the affirmative :

YEAS.

Mr. Adam  
Britain,  
Brooks,  
Brown,

Mr. Goodwin,  
Harris,  
Haydon,  
Hebard,

Mr. H. Mower,  
O'Malley,  
J. D. Pierce,  
Pond,

Culver,  
Davison,  
Deming,  
Eaton,  
Faxon,  
Ferrington,  
Fralick,  
Goodrich,

Harrington,  
Johnson,  
Kelsey,  
Lomis,  
Makley,  
McGraw,  
Miller,  
G. W. Moore,

Price,  
Seymour,  
Shaw,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Walker,  
Speaker, 36

## NAYS.

Mr. Arzeno,  
Chubb,  
Clark,  
Edmunds,

Mr. Jennings,  
McFarlan,  
Noble,  
D. Pierce,

Mr. Renwick,  
Truesdell,  
Van Duser, 11

On motion of Mr. Van Duser,

The vote by which the House refused to concur in the first Senate amendment to the House amendments to the bill, was reconsidered,

And the question recurring on concurring in said amendment, it was non-concurred in by the following vote, two-thirds not voting in the affirmative :

## YEAS.

Mr. Adam  
Britain,  
Brooks,  
Brown,  
Clark,  
Culver,  
Deming,  
Eaton,  
Faxon,  
Fralick,  
Goodrich,

Mr. Goodwin,  
Harris,  
Haydon,  
Hebard,  
Johnson,  
Jones,  
Kelsey,  
Makley,  
Miller,  
G. W. Moore,  
H. Mower,

Mr. O'Malley,  
J. D. Pierce,  
Pond,  
Seymour,  
C. H. Taylor,  
H. W. Taylor,  
Throop,  
Truesdell,  
Walker,  
Speaker, 32

## NAYS.

Mr. Arzeno,  
Chubb,  
Davison,  
Edmunds,  
Ferrington,  
Glen,

Mr. Harrington,  
Jennings,  
Lomis,  
McFarlan,  
McGraw,  
Noble,

Mr. D. Pierce,  
Price,  
Renwick,  
Shaw,  
Van Duser, 17

On motion of Mr. Goodwin,

A second committee of conference was ordered to be appointed on the part of the House on the disagreement between the two Houses on said bill, and the appointment of a like committee asked on the part of the Senate.

The Speaker appointed Messrs. Goodwin, Seymour and Adam such committee.

Mr. Price, from the committee on engrossment and enrollment, reported that the bill to cede jurisdiction to the United States over lands to be occupied as sites of light houses within this state, was correctly enrolled and was this day presented to the Governor for his approval.

On motion of Mr. J. D. Pierce, the House adjourned.

*Wednesday, March 17, 1847.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

On calling the roll, Messrs. Barker, Bell, Coates, Goodyear, Kinne, Knight, Seeley and Turner, were absent on leave, and Messrs. Britain, Dyckman, Goodrich, Goodwin, Jones, Kelsey, Marantette, Noble, O'Malley, Seymour, H. W. Taylor, Truesdell, Upton and Van Duser were absent without leave.

Mr. Kilborn asked and obtained leave of absence for Mr. Upton for the remainder of the session.

The following message was received from the Senate:

SENATE CHAMBER,  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill which the Senate have passed, and in which the concurrence of the House is respectfully asked, a "bill to amend the revised statutes of 1846," and to return House "bill to amend the revised statutes of 1846, concerning the assessment and collection of taxes," which the Senate have passed with amendments, and in which the concurrence of the House is respectfully asked.

Your obedient servant,

J. E. PLATT,  
*Secretary of Senate.*

The Senate amendments to the bill to amend the revised statutes of 1846, concerning the assessment and collection of taxes, were severally concurred in, and the bill as amended ordered to be enrolled.

The Senate bill to amend the revised statutes of 1846 was read twice, the rule suspended, and the bill referred to the committee of the whole.

The House then resolved itself into committee of the whole on said bill, Mr. Johnson in the chair.

After some time, the committee rose, and by their chairman reported the bill back with an amendment, striking out all after the enacting clause, in which the concurrence of the House was asked.

On motion of Mr. Edmunds,

The bill was committed to the committee on the judiciary, with instructions to insert the original Senate bill with the amendments made in committee of the whole previous to striking out all after the enacting clause, and with other general instructions.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the following entitled bills, and inform the House that the Senate have non-concurred therein, viz:

A bill to incorporate the Tecumseh and Lansing plank road company ;

A bill to incorporate the Dexter and Lansing plank road company ;

A bill to incorporate the Portland and Shiawasee plank road company ;

A bill to revive the poor laws repealed by the revised statutes in certain counties.

I am further instructed to return the following bills, and inform the House that the Senate have passed the same, viz :

A bill to amend an act entitled an act to provide for laying out and establishing a state road and for other purposes, from the village of Palmer, in the county of St. Clair, to the village of Riley, in said county, approved March 24, 1845 ;

A bill in regard to the recorded plat of the eastern addition of the village of Adrian.

Your obedient servant,

J. E. PLATT,  
*Secretary of Senate.*

The bill to amend an act entitled an act to provide for laying out and establishing a state road, and for other purposes, from the village of Palmer, in the county of St. Clair, to the village of Riley, in said county, approved March 24, 1845, and

The bill in regard to the recorded plat of the eastern addition to the village of Adrian, were ordered to be enrolled.

Mr. Goodwin offered a concurrent resolution altering the hour for an adjournment sine die, from 1 o'clock P. M., till 9 o'clock P. M., which resolution was adopted by the following vote :

## YEAS.

Mr. Adam,	Mr. Fralick,	Mr. G. W. Moore,
Arzeno,	Goodell,	H. Mower,
Britain,	Goodwin,	J. D. Pierce,
Brown,	Harris,	Pond,
Clark,	Haydon,	Price,
Culver,	Hebard,	Renwick,
Davison.	Hollister,	Shaw,
Deming,	Kelsey,	Shook,
Driggs,	Kilborn,	C. H. Taylor,
Eaton,	Lomis,	Van Duser,
Edmunds,	McFarlan,	Walker,
Faxon,	McGraw,	Speaker,
Ferrington,		

37

## NAYS.

Mr. Brooks,	Mr. Jennings,	Mr. D. Pierce,
Harrington,	Makley,	

5

Mr. Adam by unanimous consent, introduced a bill to provide for the election of county officers in the county of Houghton, which was read twice, ordered to be engrossed and read the third time, and the engrossment being dispensed with, the rule was suspended and the bill read the third time and passed.

Mr. Price, from the committee on engrossment and enrollment, reported that the following bills were correctly enrolled, and were this day presented to the governor for his approval, viz:

A bill in regard to the recorded plat of the eastern addition to the village of Adrian, and

A bill to amend an act entitled an act to provide for laying out and establishing a state road, and for other purposes, from the village of Palmer in the county of St. Clair to the village of Riley in said county, approved March 24, 1845.

Mr. J. D. Pierce presented the petition of J. T. Hoyt and others,

of Bellevue, Eaton county, for the laying out of a certain state road. Laid on the table.

Mr. J. D. Pierce, from the committee on federal relations, reported back the resolutions of the legislature of New Hampshire, and asked to be discharged from their further consideration.

The report was accepted and the committee discharged.

The following message was received from the Senate:

SENATE CHAMBER, }  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the joint resolution changing the hour of the adjournment of the legislature, and inform you that the Senate have adopted the same.

Your ob't serv't,

JAS. E. PLATT,

*Sec. Senate,*

Mr. Noble, from the committee on the judiciary, reported back the Senate bill to amend the revised statutes of 1846, amended in accordance with the instructions of the House, which amendments were concurred in, in gross.

Mr. Johnson moved to amend the bill by striking out the ninth section, which motion prevailed.

Mr. Britain moved to amend section thirteen by inserting after "injunction master" the words "who shall be either a county judge, a master in chancery or a circuit court commissioner," which motion was lost.

On motion of Mr. Johnson,

Section thirteen was stricken out.

On motion of Mr. Britain,

Section sixteen was stricken out.

Mr. Britain moved to amend section eighteen by striking out all after the word "amended," in the first line, to and including the word "and," in the third line, which motion prevailed by the following vote :

YEAS.

Mr. Britain,  
Brown,  
Chubb,

Mr. Glen,  
Harris,  
Haydon,

Mr. Miller,  
G. W. McCre,  
H. Mower,



Culver,  
Darrah,  
Davison,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,  
Fralick,

Hebard,  
Harrington,  
Jennings,  
Jones,  
Lomis,  
Makley,  
McFarlan,  
McGraw,  
NAYS.

D. Pierce,  
J. D. Pierce,  
Pond,  
Renwick,  
Seymour,  
Shaw,  
Shook,  
Van Duser, 33

Mr. Adam,  
Deming,  
Goodwin,

Mr. Hollister,  
Johnson,  
Kilborn,

Mr. Throop,  
Walker,  
Speaker, 9

Mr. Johnson moved to reconsider the vote by which the thirteenth section was stricken out, which motion was lost.

The amendments to the bill were ordered to be engrossed, and the bill ordered to a third reading.

The amendments having been engrossed, the rule was suspended, and the bill read the third time and passed by the following vote :

YEAS.

Mr. Adam,  
Britain,  
Brown,  
Culver,  
Darrah,  
Edmunds,  
Faxon,  
Fralick,

Mr. Glen,  
Haydon,  
Hollister,  
McGraw,  
Miller,  
H. Mower,  
Noble,  
O'Malley,  
NAYS.

Mr. D. Pierce,  
J. D. Pierce,  
Renwick,  
C. H. Taylor,  
Throop,  
Walker,  
Speaker, 23

Mr. Arzeno,  
Chubb,  
Davison,  
Deming,  
Eaton,  
Goodrich,  
Goodwin,  
Harris,

Mr. Hebard,  
Harrington,  
Jennings,  
Johnson,  
Kilborn,  
Lomis,  
Makley,

Mr. Marantette,  
McFarlan,  
G. W. Moore  
Price,  
Shaw,  
Shook,  
VanDuser, 22

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to respectfully ask the House to return the "bill to revive the poor laws repealed by the revised statutes."

Your ob't serv't,

JAS. E. PLATT,  
Sec. Senate.

On motion of Mr. Throop,

The clerk was directed to return to the Senate the bill to revive the poor laws repealed by the revised statutes.

Mr. Price, from the committee on engrossment and enrollment, reported that the bill to amend the revised statutes of 1846, concerning the assessment and collection of taxes, was correctly enrolled, and was this day presented to the governor for his approval.

The following message was received from the Senate :

SENATE CHAMBER,  
*Detroit, March 17, 1847.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit a “joint resolution authorizing the secretary of state to sell certain paper,” which the Senate have adopted and in which the concurrence of the House is respectfully asked.

Also to inform the House that the Senate recede from their disagreement with the House on the “bill to incorporate the St. Mary’s Canal Company,” and have ordered the bill as amended to be enrolled.

Respectfully, &c.,

JAS. E. PLATT,

*Sec. Senate.*

The Senate joint resolution authorizing the secretary of state to sell certain paper, was read twice, ordered to a third reading, the rule suspended, and the joint resolution read the third time and passed.

The following communication was received from the Executive:

EXECUTIVE OFFICE,  
*Detroit, March 17, 1847.* }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the secretary of state, “an act to cede jurisdiction to the United States over lands to be occupied as sites of light houses within this state.”

Also “an act in regard to the recorded plat of the eastern addition to the village of Adrian.”

Also “an act to amend an act entitled an act to provide for laying out and establishing a state road, and for other purposes, from the village of Palmer in the county of St. Clair, to the village of Ri-

lay in said county, approved March twenty-fourth, eighteen hundred and forty-five."

WM. L. GREENLY.

The following message was received from the Senate:

SENATE CHAMBER.  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return a "bill making appropriations to defray certain expenses authorized for the year 1847," and to inform the House that the Senate have passed the same with amendments, in which they respectfully ask the concurrence of the House.

Your obedient servant,

JAS. E. PLATT,  
*Secretary of the Senate.*

The bill making appropriations to defray certain expenses authorized for the year 1847 being before the House, and the question being on concurring in the Senate amendments thereto,

On motion of Mr. Adam, the amendments were amended by striking out the appropriation to the chaplain.

On motion of Mr. Fralick, the extra compensation to the firemen and messengers was stricken out.

Mr. Fralick moved to strike out the extra compensation to the secretary of state, which motion prevailed by the following vote :

YEAS.

Mr. Chubb,  
Culver,  
Edmunds,  
Faxon,  
Fralick,  
Harris,  
Haydon,  
Hollister,

Mr. Jennings,  
Johnson,  
Kilborn,  
Lomis,  
Makley,  
McFarlan,  
G. W. Moore,  
H. Mower,

Mr. Noble,  
D. Pierce,  
Price.  
Renwick,  
Shaw,  
Shook,  
C. H. Taylor,  
Van Duzer, 24

NAYS.

Mr. Adam,  
Arzeno,  
Britain,  
Darrah,  
Davison,  
Deming,  
Eaton,

Mr. Glen,  
Goodrich,  
Goodwin,  
Hebard,  
Harrington,  
McGraw,  
Miller,

Mr. O'Malley;  
J. D. Pierce,  
Pond,  
Throop,  
Walker,  
Speaker,

Mr. Van Duser moved to strike out "seventy-nine" in the appropriation to David H. Williams, and insert "thirty," which motion was lost.

On motion of Mr. Fralick,

The words "and fifty" were stricken out of the appropriation to James E. Platt.

The amendments as amended were then concurred in.

On motion of Mr. Noble,

The vote striking out the extra compensation to the secretary of state was reconsidered, and the question recurring on striking out, it prevailed by the following vote :

#### YEAS.

Mr. Chubb,  
Culver,  
Eaton,  
Edmunds,  
Faxon,  
Fralick,  
Harris,  
Haydon,

Mr. Hebard,  
Hollister,  
Jennings,  
Johnson,  
Kilborn,  
Lomis,  
McFarlan,  
G. W. Moore,  
NAYS.

Mr. H. Mower,  
D. Pierce,  
Price,  
Renwick,  
Shaw,  
Shook,  
C. H. Taylor,  
Van Duser, 24

Mr. Adam,  
Arzeno,  
Britain,  
Darrah,  
Davison,  
Deming,  
Glen,

Mr. Goodrich,  
Goodwin,  
Harrington,  
McGraw,  
Miller,  
Noble,

Mr. J. D. Pierce,  
Pond,  
Seymour,  
Throop,  
Walker,  
Speaker,

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The following message was received from the Senate :

SENATE CHAMBER, }  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to return the bill for the preservation and leasing of the Clinton and Kalamazoo canal, which the Senate have passed with amendments, and in which the concurrence of the House is respectfully asked ; 'also, to return the bill to revive the poor laws repealed by the revised statutes in certain counties, which the Senate have passed.

Respectfully, &c.,

JAMES E. PLATT,

*Sec'y. of Senate.*

The bill to revive the poor laws, repealed by the revised statutes, in certain counties, was ordered to be enrolled.

On motion of Mr. Noble,

The bill for the preservation of the Clinton and Kalamazoo canal, together with the Senate amendments thereto, were referred to the committee on internal improvement.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to return the bill making appropriations for the salaries of state officers for the year 1847, which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

Your obedient servant,

JAMES E. PLATT,

*Secretary of Senate.*

The House concurred in the first and second Senate amendments to the bill making appropriations for the salaries of state officers for the year 1847, and non-concurred in the third amendment thereto.

On motion of Mr. Davison, the House adjourned.

#### *Afternoon Session.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll it was found that there was not a quorum in attendance.

On motion of Mr. J. D. Pierce,

A call of the House was had, and there were absent without leave, Messrs. Brooks, Brown, Clark, Darrah, Dyckman, Eaton, Edmunds, Faxon, Goodrich, Goodwin, Haydon, Hollister, Johnson, Jones, Kelsey, Kilborn, Lomis, Marantette, McFarlan, H. Mower, Noble, O'Malley, D. Pierce, Price, Renwick, Shaw, C. H. Taylor, H. W. Taylor and Truesdell.

On motion of Mr. Pond,

The Sergeant-at-Arms was despatched for the absentees.

Several of the absentees having returned,

On motion of Mr. Pond,

All further proceedings under the call were suspended.

Mr. Harrington, from the committee on internal improvement, reported back the bill to lease the Clinton and Kalamazoo Canal, together with the Senate amendment thereto, and the amendment was concurred in, and the bill as amended ordered to be enrolled.

Mr. Johnson, from the committee on banks and incorporations, reported back the bill to amend an act entitled an act to incorporate the Grand River Valley Rail Road Company, amended in accordance with the instructions of the House, and the question being on the passage of the bill, it was not passed by the following vote, two-thirds not voting the affirmative:

#### YEAS.

Mr. Britain,  
Davison,  
Driggs,  
Glen,  
Goodell,  
Harris,  
Hebard,

Mr. Jennings,  
Johnson,  
Makley,  
McGraw,  
Miller,  
G. W. Moore,  
O'Malley,

Mr. Pond,  
Price,  
Seymour,  
Shook,  
C. H. Taylor,  
Van Duser,  
Speaker, 21

#### NAYS.

Mr. Adam,  
Arzeno,  
Chubb,  
Culver,  
Deming,

Mr. Edmunds,  
Faxon,  
Ferrington,  
Fralick,  
Harrington,

Mr. Noble,  
J. D. Pierce,  
Shaw,  
Throop,  
Walker, 15

The following message was received from the Senate:

SENATE CHAMBER, }  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the general appropriation bill, and to respectfully inform you that the Senate have concurred in the first House amendment, and that they insist upon the appropriations to the chaplain of the Senate; to the Secretary of State, and to the Secretary of the Senate, and have appointed Senators Robinson, Green and Denton a committee of conference on the part of the Senate, on the disagreement between the two Houses, and

that the Senate respectfully ask the appointment of a like committee on the part of the House.

Your ob't serv't,

JAS. E. PLATT,  
*Sec. Senate.*

On motion of Mr. Glen,

A committee of conference was ordered to be appointed on the part of the House, on the disagreement between the two Houses on the general appropriation bill, and the Speaker appointed as such committee, Messrs. Glen, C. H. Taylor and H. Mower.

Mr. Noble, from the committee on the judiciary, reported back the bill to amend an act entitled an act to revise and consolidate the general statutes of the state of Michigan, approved May 18, 1846, together with the Senate amendments thereto.

Mr. H. Mower moved to amend the amendments of the Senate by inserting "Kalamazoo" among the counties in which criminal jurisdiction was conferred on the county court, which motion prevailed.

On motion of Mr. Throop,

The word "Wayne" was stricken out from among those counties.

The Senate amendments as amended, were then concurred in by the House.

The Speaker announced the following message from the Senate:

SENATE CHAMBER.  
*Detroit, March 17, 1847.* }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to return herewith the bill making appropriations for the salaries of state officers for the year 1847, and to inform you that the Senate insist upon their third amendment, and have appointed Senators Robinson, Green and Denton a committee of conference on the part of the Senate, and respectfully ask the appointment of a like committee on the part of the House.

I am also instructed to return the bill to provide for the election of county officers in the county of Houghton, and respectfully inform you that the Senate have concurred therein.

Your ob't serv't,

JAS. E. PLATT,  
*Sec. Senate.*

The bill to provide for the election of county officers in the county of Houghton, was ordered to be enrolled.

On motion of Mr. Adam,

A committee of conference was ordered to be appointed on the part of the House on the disagreement between the two Houses on the bill making appropriations for the salaries of state officers for the year 1847.

And the Speaker appointed as such committee Messrs. Adam, J. D. Pierce and Johnson.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit herewith a bill to incorporate the Detroit river sectional floating dock, dry dock, and marine railway company, and inform the House that the Senate have passed the same, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

JAS. E. PLATT,

*Sec. Senate.*

The Senate bill to incorporate the Detroit river sectional floating dock, dry dock and marine railway company, was read twice, ordered to a third reading, the rule suspended, and the bill read a third time and passed by a two-thirds vote, as follows :

YEAS.

Mr. Britain,  
Brown,  
Chubb,  
Clark,  
Culver,  
Darrah,  
Davison,  
Deming,  
Eaton,  
Edmunds,  
Faxon,

Mr. Goodell,  
Goodrich,  
Harris,  
Hebard,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
Makley,  
McFarlan,

Mr. McGraw,  
Miller,  
G. W. Moore,  
O'Malley,  
Pond,  
Price,  
Seymour,  
Throop,  
Van Duser,  
Walker,  
Speaker, 33

NAYS.

Mr. Arzeno,  
Ferrington,

Mr. Fralick,  
Noble,

Mr. D. Pierce, 5

Mr. J. D. Pierce, by unanimous consent, introduced a bill to ap-



point commissioners to lay out a certain road, which was read twice, ordered to a third reading, the rule suspended, and the bill read the third time and passed.

On motion of Mr. Throop,

The vote by which the bill to amend an act entitled an act to incorporate the Grand River Valley Railroad Company was lost on its passage, was reconsidered.

And the question recurring on the passage of the bill, it was passed by a two-thirds vote, as follows :

YEAS.

Mr. Britain,  
Brown,  
Culver,  
Darrah,  
Deming,  
Eaton  
Edmunds,  
Faxon,  
Goodell,

Mr. Haydon,  
Hollister,  
Jennings,  
Johnson,  
Jones,  
Kelsey,  
Kilborn,  
G. W. Moore,  
O'Malley,

Mr. D. Pierce,  
Renwick,  
Seymour,  
Shaw,  
Shook,  
Van Duser,  
Walker,  
Speaker.

26

NAYS.

Mr. Clark,  
Davison,  
Ferrington,  
Fralick,  
Goodrich,

Mr. Hebard,  
Lomis,  
Makley,  
McFarlan,

Mr. McGraw,  
Miller,  
Pond,  
Throop.

13

Mr. Price, from the committee on engrossment and enrollment, reported that the following bills were correctly enrolled, and were this day presented to the Governor for his approval :

A bill to provide for the election of county officers in the county of Houghton ;

A bill to revive the poor laws repealed by the revised statutes, in certain counties, and

A bill for the preservation and leasing of the Clinton and Kalamazoo canal.

The following communication was received from the Executive;

EXECUTIVE OFFICE,  
Detroit, March 17, 1847. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the secretary of state, "joint resolution authorizing the secretary of state to sell certain paper."

Also "an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes."

WM. L. GREENLY.

{ The following message was received from the Senate:

SENATE CHAMBER. }  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the following entitled bills, which the Senate have passed with amendments, and respectfully ask the concurrence of the House therein, viz:

A bill to incorporate the Pontiac and Corunna Plank Road Company ;

A bill to incorporate the Marshall Woolen Mills, in the county of Calhoun.

I am further instructed to inform the House that the Senate have concurred in the following entitled bill and joint resolutions, viz:

A bill to incorporate the Marshall and Bellevue Plank Road Company ;

— Joint resolution relative to the settlement of a claim of James Kelley ;

Joint resolution relative to the settlement of a claim of Patrick Larkins;

Joint resolution relative to the claim of Nathaniel McSweeney ;

Joint resolution relative to a settlement of the claims of Harry V. Mann and Nathan N. Kendall ;

Joint resolution relative to the settlement of a claim of James E. Brown.

I am also further instructed to transmit herewith the following bill and joint resolutions, which the Senate have passed and respectfully ask the concurrence of the House therein :

A bill to authorize the re-assessment of certain taxes in the township of Irving in the county of Barry ;

Joint resolution relative to the claim of Wendell Buck ;

Joint resolution relative the claim of O. M. Hyde;

Joint resolution relative to the claim of Hugh Brown, jr.

Joint resolution relative to the claim of David C. McKinstry.

Your obedient servant,

JAS. E. PLATT,

*Secretary of the Senate.*

The bill to incorporate the Marshall and Bellevue Plank Road Company ;

The joint resolution relative to the settlement of the claim of James Kelley ;

The joint resolution relative to the settlement of a claim of Patrick Larkins ;

The joint resolution relative to the claim of Nathaniel McSweeney;

The joint resolution relative to a settlement of the claims of Harry V. Mann and Nathan N. Kendall ; and

The joint resolution relative to the settlement of a claim of James E. Brown,

Were ordered to be enrolled.

The Senate amendments to the bill to incorporate the Marshall Woolen Mills in the county of Calhoun, were concurred in by a two thirds vote, as follows :

YEAS.

Mr. Adam,	Mr. Goodwin,	Mr. O'Malley,	
Britain,	Harris,	D. Pierce,	
Brown,	Hollister,	Pond,	
Clark,	Jennings,	Price,	
Culver,	Jones,	Seymour,	
Darrah,	Lomis,	Shaw,	
Davison,	Makley,	Shook,	
Deming,	McGraw,	C. H. Taylor,	
Edmunds,	Miller,	Throop,	
Faxon,	G. W. Moore,	Van Duser,	
Goodell,	H. Mower,	Walker,	
Goodrich,	Noble,	Speaker,	36

NAYS.

Mr. Fralick,	Mr. Harrington,	2
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And the bill was ordered to be enrolled.

The Senate amendments to the bill to incorporate the Pontiac and Corunna Plank Road Company were concurred in by a two-thirds vote, as follows :

YEAS.

Mr. Adam,	Mr. Hollister,	Mr. D. Pierce,
Britain,	Jennings,	Pond,
Brown,	Jones,	Price,
Clark,	Kelsey,	Renwick,
Culver,	Kilborn,	Seymour,
Davison,	Lomis,	Shaw,
Deming,	McGraw,	Shook,
Edmunds,	Miller,	C. H. Taylor,

Faxon,  
Goodrich,  
Goodwin,  
Harris,  
Hebard,

G. W. Moore,  
H. Mower,  
Noble,  
O'Malley,

Throop,  
Van Duser,  
Walker,  
Speaker,

37

NAYS.

Mr. Darrah,

Mr. Fralick,

2

And the bill was ordered to be enrolled.

The joint resolution relative to the claim of O. M. Hyde was read twice, and

On motion of Mr. Goodwin,

Amended by inserting after "Hyde," the words "and their determination thereon shall be final."

The joint resolution was then ordered to a third reading, and the rule being suspended, it was read the third time and passed.

The joint resolution relative to the claim of Hugh Brown, jr. was read twice, ordered to a third reading, the rule suspended, and the joint resolution read the third time and passed.

The joint resolution relative to the claim of Wendell Buck, was read twice, ordered to a third reading, the rule suspended, and the joint resolution read the third time and passed.

The joint resolution relative to the claim of David C. McKinstry, was read twice, ordered to a third reading, the rule suspended and the joint resolution read the third time and passed.

The following message was received from the Senate:

SENATE CHAMBER, }  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to inform the House that the Senate have concurred in the report of the committee of conference upon the "bill making appropriations for the salaries of state officers for the year 1847."

I am also further instructed by the Senate, to inform the House that the Senate have concurred in the report of the committee of conference upon the bill making general appropriations.

Respectfully, &c.,

JAMES E. PLATT,

*Sec'y. of Senate.*

The report of the committee of conference upon bill making ap-

appropriations for the salaries of state officers for the year 1847, was concurred in and the bill ordered to be enrolled.

The following message was received from the Senate:

SENATE CHAMBER,  
*Detroit, March 17, 1847.*

}

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the “bill to amend the revised statutes of 1846,” and to respectfully inform you that the Senate have non-concurred in the House amendments thereto, and have appointed as a committee of conference on the disagreement between the two Houses Senators Green, Denton and Coe, and to respectfully request the appointment of a like committee on the part of House.

Your obedient servant,

J. E. PLATT,  
*Secretary of Senate.*

On motion of Mr. Goodwin,

The House insisted on their amendments to the bill to amend the revised statutes of 1846.

On motion of Mr. Noble,

A committee of conference was ordered to be appointed on the part of the House on the disagreement between the two Houses on said bill.

The Speaker appointed as such committee, Messrs. Noble, H. Mower and Britain.

The House then took up the bill making appropriations to defray certain expenses authorized for the year 1847, and the question being on concurring in the report of the committee of conference, the first and second recommendations were non-concurred in, and the third recommendation was concurred in.

Mr. Goodwin, from the committee on state affairs, by unanimous consent, reported a joint resolution relative to the claim of Henry B. Lathrop, which was read twice, and ordered to be engrossed and read the third time.

The joint resolution having been engrossed, and the rule being suspended, it was read the third time and passed.

The following message was received from the Senate:

SENATE CHAMBER,  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the following entitled bills, which the Senate have passed, viz:

A bill to dispose of certain statute books within this state, with amendments.

A bill to provide for the draining of swamps, marshes and other low lands;

A bill to provide for the payment of interest on the amount due from the state to the university and school funds;

A bill to incorporate the Raisin Institute.

I am also instructed to return the following entitled joint resolutions, and inform the House that the Senate have concurred therein viz :

Joint resolutions relative to a petition of the Chippewa Indians;

Joint resolutions relative to maps and papers of the Northern Railroad.

I am also further instructed to return a bill to amend an act entitled an act to incorporate the Detroit and Grand River Plank road company, approved March 12th, 1844, and amendatory acts thereto, and inform the House that Senate non-concur therein.

I am also further instructed by the Senate to return a bill to incorporate the Detroit and Birmingham plank road company, and inform the House that the Senate have passed the same with amendments, in which the concurrence of the House is respectfully asked.

I am further instructed to transmit herewith to the House the following bills and joint resolution which the Senate have passed and respectfully ask the concurrence of the House therein, viz:

A bill to incorporate the Marshall and Lansing plank road company;

A bill to amend an act entitled an act to amend an act to authorize the erection of a toll gate and for keeping in repair the Detroit and Saginaw road, and for other purposes, approved March 8, 1843;

A bill confirming a certain decree made in the 3d judicial circuit;

Joint resolution in regard to the board of regents of the university of Michigan;

A bill to authorize the commissioners of highways of the township of Chesterfield in the county of Macomb to alter a certain road,

Respectfully, &c.,

JAS. E. PLATT,

*Sec. Senate.*

The bill to provide for the draining of swamps, marshes and other low lands;

The bill to provide for the payment of interest on the amount due from the state to the university and school funds, and

The bill to incorporate the Raisin institute, were ordered to be enrolled.

The Senate amendments to the bill to dispose of certain statute books within this state, were concurred in, and the bill as amended ordered to be enrolled.

The joint resolution in regard to the board of regents of the university of Michigan, was read twice and referred to the committee on education.

The bill to authorize the commissioners of the township of Chesterfield, in the county of Macomb, to alter a certain road, was read twice, and

On motion of Mr. Adam,

Its further consideration was indefinitely postponed.

The bill confirming a certain decree made in the third judicial circuit, was read twice and referred to the committee on the judiciary.

The bill to amend an act entitled an act to amend an act to authorize the erection of a toll gate, and for keeping in repair the Detroit and Saginaw road, and for other purposes, approved March 8, 1843, was read twice, and

On motion of Mr. Goodwin,

Its further consideration was indefinitely postponed.

The bill to incorporate the Marshall and Lansing Plank Road Company, was read twice and referred to the committee on banks and incorporations.

The joint resolutions relative to the petition of the Chippewa Indians, and

The joint resolution relative to maps and profiles of the Northern Railroad, were ordered to be enrolled.

The following communication was received from the Senate :

SENATE CHAMBER,  
Detroit, March 16, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit herewith a bill for the relief of persons who settled upon and improved any salt spring lands before said lands were selected by the state, which the Senate have passed, and respectfully ask the concurrence of the House therein.

Your ob't serv't,

JAMES E. PLATT,  
Sec. Senate.

The bill for the relief of persons who settled upon and improved any salt spring lands before said lands were selected by the state, was read twice and referred to the committee on public lands.

Mr. Noble, from the committee of conference on the bill to amend the revised statutes of 1846, made a report, which was concurred in, except so far as it related to section nine of the bill, and to that portion of the bill taking away replevin jurisdiction from justices of the peace, which was non-concurred in.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit a "bill to authorize the re-assessment of certain taxes, in the township of Irving, in the county of Barry ;" and

A "bill to exempt a quantity of land or the homestead from forced sale in certain cases," which the Senate have passed and in which the concurrence of the House is respectfully asked.

Also to return the "bill to authorize Alfred A. Hunter and John Y. Larzalere to construct and maintain a dam across the Huron river," and to respectfully inform you that the Senate have passed the same.

Also to return the following entitled bills, which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House :

A "bill to incorporate the Union City Iron Company, in the county of Branch ;"



A "bill to amend an act entitled an act to authorize the highway commissioners of the township of Kalamazoo to vacate certain streets ;"

A "bill to provide for the payment of interest on the internal improvement debt of this state and for other purposes ;" and

A "bill to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence."

Your obedient servant,

J. E. PLATT,

*Secretary of Senate.*

The bill to authorize Alfred A. Hunter and John Y. Larzalere to construct and maintain a dam across the Huron river, was ordered to be enrolled.

The Senate amendments to the bill to provide for the payment of interest on the internal improvement debt of this state and for other purposes, were non-concurred in.

On motion of Mr. Goodwin,

A committee of conference was ordered to be appointed on the part of the House on the disagreement between the two Houses on said bill, and the appointment of a like committee asked on the part of the Senate.

The Speaker appointed as such committee, Messrs. Goodwin, Adam and Edmunds.

The Senate amendments to the bill to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, were concurred in, and the bill as amended was ordered to be enrolled.

The Senate amendments to the bill to incorporate the Union City Iron Company, in the county of Branch, were concurred in by a two-thirds vote, and the bill as amended was ordered to be enrolled.

The Senate amendments to the bill to amend an act entitled an act to authorize the highway commissioners of the township of Kalamazoo to vacate certain streets, were concurred in, and the bill as amended ordered to be enrolled.

The bill to authorize the re-assessment of certain taxes in the township of Irving, in the county of Barry, was read twice, ordered to be read the third time, the rule suspended, and the bill read the third time and passed.

The bill to exempt a quantity of land or the homestead from forced sale in certain cases, was read twice and referred to the committee on state affairs.

On motion of Mr. J. D. Pierce,

The House adjourned until half past seven o'clock.

### *Evening Session.*

The House met pursuant to adjournment and was called to order by the Speaker.

On calling the roll, Messrs. Barker, Bell, Coates, Goodyear, Kinne, Knight, Seeley, Turner and Upton were absent on leave, and Messrs. Driggs, Dyckman, Harris, Harrington, Jones, Kelsey, Kilborn, Makey, Marantette, H. Mower, C. H. Taylor, H. W. Taylor and Truesdell were absent without leave.

Mr. O'Malley, from the committee on education, reported back the joint resolution in regard to the regents of the university of Michigan, without amendment, and the question being on ordering the joint resolution to be read the third time, it was decided in the negative.

Mr. Johnson, from the committee on banks and incorporations, reported back the bill to incorporate the Marshall and Lansing Plank Road Company, with amendments and recommended its passage.

The amendments were concurred in, ordered to be engrossed, and the bill ordered to a third reading.

The amendments having been engrossed, the rule was suspended and the bill read the third time, and the question being on its passage, it was not passed by the following vote, two-thirds not voting in the affirmative:

#### YEAS.

Mr. Adam,  
Britain,  
Brooks,  
Brown,  
Chubb,  
Clark,  
Culver,  
Davison,  
Deming,  
Driggs,

Mr. Eaton,  
Faxon,  
Goodwin,  
Hebard,  
Hollister,  
Jennings,  
Johnson,  
McFarlan,  
Miller,

Mr. G. W. Moore,  
H. Mower,  
O'Malley,  
Pond,  
Seymour,  
Throop,  
Van Duser,  
Walker,  
Speaker,

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#### NAYS.

Mr. Arzeno,

Mr. Goodell,

Mr. D. Pierce,

Edmunds,  
Ferrington,  
Fralick,  
Glen,

Goodrich,  
Lomis,  
McGraw,  
Noble,

Price,  
Renwick,  
Shaw,  
Shook, 15

Mr. Price, from the committee on engrossment and enrollment, reported that the following bills and joint resolutions were correctly enrolled, and were this day presented to the governor for his approval, viz:

A bill to incorporate the Marshall Woolen Mills, in the county of Calhoun;

A bill making appropriations for the salaries of state officers for the year 1847;

A bill to dispose of certain statute books within this state;

A bill to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence;

A bill to provide for the payment of interest on the amount due from the state to the university and school funds;

A bill to incorporate the Marshall and Bellevue Plank road Company;

A bill to authorize Alfred A. Hunter and John Y. Larzalore to construct and maintain a dam across the Huron river;

A bill to incorporate the Raisin Institute;

A bill to amend an act entitled an act to authorize the highway commissioners of the township of Kalamazoo to vacate certain streets;

A joint resolution relative to the settlement of the claim of James E. Brown;

A joint resolution relative to the claim of Nathaniel McSweeney;

A joint resolution relative to the settlement of the claim of Patrick Larkins;

A joint resolution relative to a settlement of the claims of Harry V. Man and Nathan N. Kendall;

A joint resolution relative to the settlement of a claim of James Kelley;

A joint resolution relative to a petition of the Chippewa Indians; and

A joint resolution relative to maps and profiles of the Northern Railroad;

The following message was received from the Senate:

SENATE CHAMBER,  
*Detroit, March 17, 1847.* }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to return the general appropriation bill and to respectfully inform you that the Senate recede from their appropriations to the chaplain, firemen and messengers.

Your obedient servant.

JAS. E. PLATT,  
*Secretary of Senate.*

The bill making appropriations to defray certain expenses authorized for the year 1847, was ordered to be enrolled.

On motion of Mr. Noble,

The vote was reconsidered by which the House refused to pass the bill to incorporate the Marshall and Lansing plank road company, and the question recurring on the passage of the bill, it was not passed by the following vote, two thirds not voting in the affirmative:

YEAS.

Mr. Adam	Mr. Goodrich,	Mr. H. Mower,	
Britain,	Goodwin,	O'Malley,	
Brooks,	Hollister,	Pond,	
Brown,	Jennings,	Seymour,	
Culver,	Johnson,	C. H. Taylor,	
Deming,	Kelsey,	Throop,	
Driggs,	Kilborn,	Van Duser,	
Eaton,	McFarlan,	Walker,	
Faxon,	Miller,	Speaker,	
Goodell,	G. W. Moore,		29

NAYS.

Mr. Arzeno,	Mr. Fralick,	Mr. Noble,	
Chubb,	Glen,	D. Pierce,	
Clark,	Haydon,	Price,	
Davison,	Hebard,	Renwick,	
Edmunds,	Lomis,	Shaw,	
Ferrington,	McGraw,	Shook,	18

The following message was received from the Senate :

SENATE CHAMBER,  
*Detroit, March 17, 1847.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return to the House a "bill to amend an act entitled an act for revising and consolidating the general statutes of the state of Michigan, approved May 18,

1846," and to respectfully inform you that the Senate have concurred in the House amendments to the Senate amendments to said bill.

Also, to inform you that the Senate have concurred in the House amendments to the "bill to amend an act entitled an act to incorporate the Grand River Valley Railroad Company, approved May 4, 1846," and have ordered the bill as amended to be enrolled.

Respectfully, &c.,

JAS. E. PLATT,

*Sec. Senate.*

The bill to amend an act entitled an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846, was ordered to be enrolled.

The following message was received from the Senate:

SENATE CHAMBER,  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return the following bills and joint resolution, which the Senate have concurred in, viz:

A "bill to appoint commissioners to lay out a certain state road;"

A "bill appropriating certain highway taxes for the improvement of a road in the counties of Van Buren and Berrien," and

"Joint resolution relative to the claim of Henry B. Lathrop."

Respectfully, &c.,

JAS. E. PLATT,

*Sec. Senate.*

The bill to appoint commissioners to lay out a certain state road;

The bill appropriating certain highway taxes for the improvement of a road in the counties of Van Buren and Berrien; and

The joint resolution relative to the claim of Henry B. Lathrop, were ordered to be enrolled.

On motion of Mr. Johnson, the rules were suspended, and

Mr. Adam introduced a joint resolution relative to the capitol, which was read twice, and ordered to be engrossed and read the third time read the third time and passed.

Mr. Goodwin, from the committee on state affairs, reported back the bill to exempt a quantity of land, or the homestead, from forced sale in certain cases, and recommended its passage.

Mr. Goodrich moved that its further consideration be indefinitely postponed, which motion was lost by the following vote :

## YEAS.

Mr. Chubb,  
Clark,  
Culver,  
Davison,  
Deming,  
Edmunds,  
Ferrington,  
Fralick,

Mr. Goodrich,  
Harris,  
Haydon,  
Harrington,  
Jennings,  
Kelsey,  
Kilborn,  
Lomis,

Mr. McGraw,  
H. Mower,  
D. Pierce,  
Pond,  
Renwick,  
Throop,  
Walker,  
Speaker,

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## NAYS.

Mr. Adam,  
Arzeno,  
Britain,  
Brooks,  
Darrah,  
Eaton,  
Faxon,  
Glen,  
Goodell,

Mr. Goodwin,  
Hebard,  
Hollister,  
Johnson,  
McFarlan,  
Miller,  
G. W. Moore,  
Noble,

Mr. O'Malley,  
J. D. Pierce,  
Price,  
Seymour,  
Shaw,  
Shook,  
C. H. Taylor,  
Van Duzer,

25

Mr. Johnson moved a suspension of the rules, so that the bill might be read the third time to day, pending which,

Mr. H. Mower moved the previous question, which was not sustained; and the question recurring on the motion to suspend the rules, it was lost by the following vote, two-thirds not voting in the affirmative:

## YEAS.

Mr. Arzeno,  
Britain,  
Brooks,  
Culver,  
Darrah,  
Eaton,  
Faxon,  
Goodell,

Mr. Goodwin,  
Hebard,  
Hollister,  
Johnson,  
Kilborn,  
McFarlan,  
Miller,  
G. W. Moore

Mr. Noble,  
J. D. Pierce,  
Price,  
Seymour,  
Shook,  
C. H. Taylor,  
VanDuser,

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## NAYS.

Mr. Brown,  
Chubb,  
Clark,  
Davison,  
Deming,  
Edmunds,  
Ferrington,  
Fralick,  
Glen,

Mr. Goodrich,  
Harris,  
Haydon,  
Harrington,  
Jennings,  
Jones,  
Kelsey,  
Lomis,  
McGraw,

Mr. H. Mower,  
O'Malley,  
D. Pierce,  
Pond,  
Renwick,  
Shaw,  
Throop,  
Walker,  
Speaker,

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The following messages were received from the Senate :

SENATE CHAMBER,  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to inform the House that the Senate have concurred in House amendment to the joint resolution relative to the claim of O. M. Hyde, and have ordered the same to be enrolled.

Also, to inform the House that the Senate have concurred in the second, fourth, fifth and sixth House amendments to bill to amend the revised statutes of 1846, and have in other respects concurred in report of the committee of conference on said bill, and have ordered the same to be enrolled.

Your obedient servant,

JAS. E. PLATT,  
*Secretary of Senate.*

SENATE CHAMBER,  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return a bill to amend an act entitled an act to incorporate the Battle Creek and Grand Rapids Railroad Company, approved May 4, 1846, which the Senate have passed.

Also, to transmit a bill to incorporate the Dexter and Lansing plank road company," which the Senate have passed, and in which the concurrence of the House is respectfully requested.

Your obedient servant,

JAMES E. PLATT,  
*Secretary of the Senate.*

The bill to incorporate the Dexter and Lansing plank road company was read twice, when

Mr. D. Pierce moved a suspension of the rules that the bill might be read the third time to-day, which motion was lost, and the bill was referred to the committee on banks and incorporations.

The bill to amend an act entitled an act to incorporate the Battle Creek and Grand Rapids Railroad Company, approved May 4, 1846 was ordered to be enrolled.

Mr. Price, from the committee on engrossment and enrollment, reported that the following entitled bills and joint resolutions were cor-

rectly enrolled, and were this day presented to the governor for his approval, viz:

A bill to incorporate the Pontiac and Corunna Plank Road Company ;

A bill to appoint commissioners to lay out a certain road ;

A bill to incorporate the Union City Iron Company in the county of Branch ;

A bill to provide for the draining of swamps, marshes and other low lands ;

A bill appropriating certain highway taxes for the improvement of a road in the counties of Van Buren and Berrien ;

A bill making appropriations to defray certain expenses authorized for the year 1847 ;

A bill to amend an act entitled an act to incorporate the Battle Creek and Grand Rapids Rail Road Company, approved May 4, 1846

A bill to amend on act entitled an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846, and

A joint resolution relative to the claim of Henry B. Lathrop.

The following message was received from the Senate :

SENATE CHAMBER, }  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return a “bill to incorporate the Portland and Shiawassee Plank Road Company,” and to respectfully inform you that the Senate have concurred therein.

Respectfully, &c.,

JAS. E. PLATT,  
*Secretary of Senate.*

The bill to incorporate the Portland and Shiawassee Plank Road Company was ordered to be enrolled.

The Speaker called Mr. Noble to the chair.

Mr. Edmunds offered the following resolution, which was unanimously adopted :

*Resolved,* That the thanks of this House be tendered to the Hon. GEORGE W. PECK, for the able and impartial manner in which he has presided over its deliberations, and for the uniform kind and courte-



ous demeanor which he has manifested towards the members of this body.

Mr. Brooks offered the following resolution, which was unanimously adopted :

*Resolved*, That the thanks of this House be tendered to A. W. Hovey, chief clerk, and D. A. A. Ensworth, engrossing, enrolling and recording clerk, for their gentlemanly deportment in all their relations to this body, and for the prompt and efficient discharge of their official duties.

The Speaker having resumed the chair,

Mr. Johnson, from the committee on banks and incorporations, reported back with amendments, and recommended its passage, the bill to incorporate the Dexter and Lansing Plank Road Company.

The amendments were concurred in, when,

On motion of Mr. Renwick,

The bill was amended by striking out "Dexter," wherever it occurs, and inserting "Jackson."

On motion of Mr. Harrington,

"Lansing" was stricken out wherever it occurs, and "Pontiac" inserted.

The amendments were then ordered to be engrossed, and the bill ordered to a third reading.

Mr. D. Pierce moved to suspend the rule so that the bill might be read the third time to-day, which motion did not prevail.

On motion of Mr. Goodwin,

The bill was laid on the table.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return a "bill for the payment of interest on the internal improvement debt of this state and for other purposes," and to respectfully inform the House that the Senate adhere to their former action thereon, and have appointed Senators Thurber, Fenton and Danforth a committee of conference on the part of the Senate on said bill.

Your ob't serv't,

JAMES E. PLATT,  
Sec. Senate.

Mr. Price, from the committee on engrossment and enrollment, reported that the bill to incorporate the Portland and Shiawassee Plank Road Company, was correctly enrolled, and was this day presented to the governor for his approval.

Mr. D. Pierce offered the following resolution, which was unanimously adopted:

*Resolved*, That the thanks of this House be tendered to Rev. James F. Davison, for the kind and faithful manner in which he has discharged his duties as chaplain to this House.

Mr. Goodwin, from the committee of conference on the bill to provide for the payment of interest on the internal improvement debt of this state and for other purposes, reported that the committee could not agree, and asked to be discharged.

The report was accepted and the committee discharged.

On motion of Mr. Edmunds,

The clerk was directed to enter on the journal of the House, the original bill to provide for the payment of interest on the internal improvement debt of this state, and for other purposes, which was passed on the twenty-seventh of February, by a vote of fifty-two to seven, [see page 292,] which bill was in the following words:

A BILL to provide for the payment of Interest on the Internal Improvement debt of this state, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Michigan*, That the state tax hereafter shall be five mills on the dollar of the valuation of taxable property in the several counties of this state, which tax shall be in lieu of any other state tax now authorized, and shall be levied, assessed, collected and returned as is now or may hereafter be provided by law.

SEC. 2. Three-fifths of said tax shall be, and is hereby declared to be, set apart for the payment of principal and interest of the internal improvement debt of the state, in such manner as shall hereafter be prescribed by law.

The following message was received from the Senate:

SENATE CHAMBER. }  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return "joint resolution relative to the capitol," and inform you that the Senate have concurred

therein with amendments, in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAMES E. PLATT,

*Sec'y. of Senate.*

The Senate amendments to the joint resolution relative to the capitol were concurred in, and the joint resolution as amended ordered to be enrolled.

The following message was received from the Senate :

SENATE CHAMBER,  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to transmit herewith a "bill to amend section five of chapter 21 of the revised statutes of 1846," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

JAS. E. PLATT,

*Sec'y. of Senate.*

The bill to amend section five of chapter twenty-one of the revised statutes of 1846, was read twice, and

On motion of Mr. Haydon,

Its further consideration was indefinitely postponed.

Mr. Price, from the committee on engrossment and enrollment, reported that the joint resolution relative to the capitol was correctly enrolled, and was this day presented to the governor for his approval.

Mr. Goodwin offered the following resolutions :

*Resolved,* That in the opinion of this House every dictate of sound State policy required at this session some provision for the payment of interest on our State debt.

*Resolved,* That this House believes its action in providing for interest on our State indebtedness not only just to our creditors, but for the best interest of the people of Michigan.

Which resolutions were adopted by a unanimous vote, as follows :

YEAS.

Mr. Adam,  
Arzeno,  
Britain,

Mr. Fralick,  
Glen,  
Goodell,

Mr. H. Mower,  
Noble,  
O'Malley,

Brooks,  
Brown,  
Chubb,  
Clark,  
Culver,  
Davison,  
Deming,  
Eaton,  
Edmunds,  
Faxon,  
Ferrington,

Goodrich,  
Goodwin,  
Haydon,  
Hebard,  
Jennings,  
Johnson,  
Kilborn,  
Lomis,  
McFarlan,  
Miller,  
G. W. Moore,

D. Pierce,  
J. D. Pierce,  
Pond,  
Price,  
Renwick,  
Shaw,  
C. H. Taylor,  
Van Duser,  
Walker,  
Speaker,

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NAYS.

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Mr. Noble moved that the House take up for consideration the bill to exempt a quantity of land, or the homestead, from forced sale in certain cases, which motion was lost by the following vote :

YEAS.

Mr. Arzeno,  
Brooks,  
Darrah,  
Eaton,  
Faxon,

Mr. Goodwin,  
Hebard,  
McFarlan,  
Miller,  
G. W. Moore,

Mr. Noble,  
J. D. Pierce,  
Price,  
C. H. Taylor,  
Van Duser, 15

NAYS.

Mr. Brown,  
Chubb,  
Clark,  
Culver,  
Davison,  
Deming,  
Edmunds,  
Ferrington,  
Fralick,

Mr. Glen,  
Goodell,  
Goodrich,  
Haydon,  
Jennings,  
Johnson,  
Kelsey,  
Lomis,

Mr. H. Mower,  
D. Pierce,  
Pond,  
Renwick,  
Shaw,  
Throop,  
Walker,  
Speaker,

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Mr. Johnson moved a reconsideration of the last vote, which motion was lost.

The following messages were received from the Executive :

EXECUTIVE OFFICE, }  
Detroit, March 17, 1847. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the secretary of state, "an act to revive the poor laws repealed by the revised statutes in certain counties."

Also, "an act for the preservation and leasing of the Clinton and Kalamazoo Canal."

Also, "an act to provide for the election of county officers in the county of Houghton."

Also, "an act to incorporate the Pontiac and Corunna Plank Road Company."

Also, "joint resolution relative to a petition of the Chippewa Indians."

Also, "joint resolution relative to a settlement of the claim of Harry V. Man and Nathan N. Kendall."

Also, "an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence."

Also, "an act to provide for the payment of interest on the amount due from the state to the university and school fund."

Also, "an act to authorize Alfred A. Hunter and John Y. Larzilere to construct and maintain a dam across the Huron River."

Also, "an act to provide for the draining of swamps, marshes and other low lands."

Also, "an act to dispose of certain statute books within this State."

Also, "an act to incorporate the Raisin Institute."

Also, "an act to incorporate the Union City Iron Company, in the county of Branch."

Also, "an act to appoint commissioners to lay out a certain state road."

Also, "an act making appropriations for the salaries of state officers for the year eighteen hundred and forty-seven."

Also, "an act to incorporate the Marshall and Bellevue Plank Road Company."

Also, "joint resolution relative to maps and profiles of the Northern Rail Road."

Also, "joint resolution relative to the settlement of the claim of James E. Brown."

Also, "joint resolution relative to the claim of Nathaniel McSweeney."

Also, "joint resolution relative to the settlement of a claim of James Kelly."

Also, "joint resolution relative to the settlement of a claim of Patrick Larkins."

Also, "an act to amend an act entitled an act to authorize the highway commissioners of the township of Kalamazoo to vacate certain streets, approved February thirteenth, eighteen hundred and forty-seven."

Also "an act to incorporate the Marshall Woolen Mills, in the county of Calhoun ;"

Also "an act to amend an act entitled an act to incorporate the Battle Creek and Grand Rapids Rail Road Company, approved May fourt, eighteen hundred and forty-six ;"

Also "an act appropriating certain highway taxes for the improvement of a road in the counties of Van Buren and Berrien ;"

Also "an act to incorporate the Portland and Shiawassee Plank Road Company ;"

Also "joint resolution relative to the Capitol."

WM. L. GREENLY.

EXECUTIVE OFFICE,  
Detroit, March 17, 1847. }

*To the House of Representatives :*

I have this day approved, signed and deposited in the office of the Secretary of State, "an act making appropriations to defray certain expenses authorized for the year eighteen hundred and forty-seven."

WM. L. GREENLY.

The Speaker announced the following message from the Senate :

SENATE CHAMBER,  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to return a "bill to amend an act to entitled an act to provide for the removal of the seat of government of this state, and for other purposes," and inform the House that the Senate non-concur therein.

I am further instructed to transmit a "bill to amend an act entitled an act to amend the revised statutes of 1846," which the Senate have passed and respectfully ask the concurrence of the House therein.

Your obedient servant,

JAMES E. PLATT,  
*Secretary of Senate.*

The bill to amend an act entitled an act to amend the revised statutes of 1846, was read twice, ordered to a third reading, the rules suspended, read the third time and passed.

On motion of Mr. J. D. Pierce,

A committee was ordered to be appointed to wait on the Senate and

inform that body, that the House had no business before it, and were now ready to adjourn *sine die*.

The Speaker appointed as such committee, Messrs. J. D. Pierce and Edmunds, who, after a short absence, returned and reported that they had discharged the duty assigned them.

On motion of Mr. Goodwin,

A committee of two was ordered to be appointed, to act with a like committee on the part of the Senate, to wait on the Governor and inform him that the two Houses had no further business before them, and were now ready to adjourn *sine die*, and to ask him if he had any further communication to make.

A committee from the Senate was announced, consisting of Senators Green and Lathrop, who informed the House that the Senate had no further business before it, and was now ready to adjourn *sine die*.

The Speaker appointed as such committee, Messrs. Goodwin and H. Mower.

The following message was received from the Senate:

SENATE CHAMBER, }  
Detroit, March 17, 1847. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to respectfully inform the House that Senators Thurber and Coe have been appointed a committee to join the like committee on the part of the House to wait upon the Governor and inform him that the two Houses are now ready to adjourn.

Your ob't serv't,  
JAS. E. PLATT,  
Sec. Senate.

Mr. Goodwin, from the committee appointed to wait on the governor, reported that they had discharged that duty, and that the governor had informed them that he had no further communication to make.

The Speaker then rose and addressed the House as follows:

*Gentlemen of the House*—Your labors are closed, but before I perform the last duty of the chair and dissolve forever, the official relation which has so long united us, accept my warmest thanks for the kindness and courtesey, I have, at all times, officially and personally

received from the members of this House. If my attempts to meet worthily, the responsibilities resulting from this relation have deserved the approbation you have been pleased to-night to bestow upon them, I am largely indebted for my success to the continued co operation of the members of the House, and the efficient services of its able clerk—if they have failed to deserve it, the failure cannot I trust be traced to any fault of inattention. In discharging the duties of the chair, I have ever endeavored to act unbiased by political or personal prejudice—and although we have often differed in opinion and action, I assure you that on my part every feeling inconsistent with the warmest regard for each and all of you, has vanished with the hour of its birth. We part, I trust, friends—and whatever my future lot—whether in public or private life—through every vicissitude of life, I shall look back to our association here with mingled gratitude and praise.

And now, farewell—you have all my fervent wishes for your future welfare and happiness, and may your return to your respective homes and friends be as joyful as this our parting is sad—once more I bid you one and all an affectionate adieu.

The Speaker then declared the House adjourned *sine die*.



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